



भारत का राजपत्र

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सं० 14]

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No. 14]

NEW DELHI, SATURDAY, APRIL 6, 1974/CHAITRA 16, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administration of Union Territories)

मंत्रिमण्डल सचिवालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 27 मार्च, 1974

का० आ० 863.—दण्ड प्रक्रिया संहिता, 1898 (1898 का 5) की धारा 492 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी० पी० रमण, अधिवक्ता मद्रास को प्रथम अतिरिक्त सत्र न्यायाधीश, मद्रास के न्यायालय में मुकदमा नं० आर० सी० 1/ई/70-मद्रास बनाम श्री जे० के० के० नटराजन वगैरह के संबंध में बहम करने हेतु लोक अभियोजक नियुक्त करती है।

[सं० 225/8/74-ए०बी०डी० (2)]

CABINET SECRETARIAT

(Department of Personnel & Administrative Reforms)

New Delhi, the 27th March, 1974

S.O. 863.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri V. P. Raman, Advocate, Madras, as a Public Prosecutor for arguing case R.C. 1/E/70-Madras against Shri J. K. K. Natarajan and others, in the Court of Ist Additional Sessions Judge, Madras.

[No. 225/8/74-AVD. (II)]

का० आ० 864.—दण्ड प्रक्रिया संहिता 1898 (1898 का 5) की धारा 492 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, गृह मंत्रालय की अधिसूचना सं० 225/79/69-ए०बी०डी०-II, दिनांक 30 दिसम्बर, 1969 का अधिग्रहण करते हुए केन्द्रीय सरकार, एतद्वारा, केन्द्रीय अन्वेषण ब्यूरो के अतिरिक्त विधि सलाहकार श्री शिव प्रकाश भारद्वाज को भारत के किसी भी राज्य तथा संघ शामिल क्षेत्र जहाँ दंड प्रक्रिया संहिता 1898 लागू होती है, के मैजिस्ट्रेट विशेष न्यायाधीश या सत्र न्यायाधीश के न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित एवं धार्य किये गये मामलों तथा उन मामलों से उत्पन्न अपीलें/पुनरीक्षणों के संचालन हेतु लोक अभियोजक नियुक्त करती है।

[संख्या 225/13/74-ए० बी० डी० (2)]

S.O. 864.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898) and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. 225/79/69-AVD (II) dated the 30th December, 1969, the Central Government hereby appoints Shri Shiv Prakash Bhardwaj, Additional Legal Advisor in the Central Bureau of Investigation, as Public Prosecutor for the conduct of cases investigated and instituted by the Delhi Special Police Establishment and appeals/revisions arising out of those cases in the Court of any Magistrate, Special Judge or Sessions Judge in any State or Union Territory of India to which the Code of Criminal Procedure, 1898 applies.

[No. 225/13/74-AVD(II)]

(927)

का० आ० 865.—दण्ड प्रक्रिया संहिता 1898 (1898 का 5) की धारा 492 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, श्री आर० एस० जामुआर, श्री आर० के० बांठा, श्री एस० पी० निगम, श्री एस० एम० दम्बारी, श्री आर० डी० गर्मा तथा श्री जवाहरलाल, लोक अभियोजक केन्द्रीय अन्वेषण ब्यूरो को भारत के किसी भी राज्य तथा संघ शसित क्षेत्र जहां दण्ड प्रक्रिया संहिता 1898 लागू होती है, के किसी भी मजिस्ट्रेट, विशेष न्यायाधीश या सत्र न्यायाधीश के न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित एवं बायर किए गए मामलों तथा उन मामलों से उत्पन्न अपीलें/पुनरीक्षणों के संचालन हेतु लोक अभियोजक नियुक्त करती है।

[संख्या 225/17/74-ए०बी०डी० (2)]

बी० सी० वनजानी, अवसर सचिव

S.O. 865.—In exercise of the powers conferred by sub-section (1) of section 492 of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby appoints Shri R. S. Jamuar, Shri R. K. Bandha, Shri S. P. Nigam, Shri S. S. Darbari, Shri R. D. Sharma and Shri Jawahar Lal, Public Prosecutors, in the Central Bureau of Investigation, as Public Prosecutors for the conduct of cases, investigated and instituted by the Delhi Special Police Establishment, and appeals/revisions arising out of those cases, in the Court of any Magistrate, Special Judge or Sessions Judge in any State or Union Territory of India to which the Code of Criminal Procedure, 1898 applies.

[No. 225/17/74-AVD (II)]

B. C. VANJANI, Under Secy.

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 15 मार्च, 1974

का० आ० 866.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए महाराष्ट्र के लिए साधारण निर्वाचन के लिए 60-इगतपुरी निर्वाचन-क्षेत्र से चुनाब लड़ने वाले उम्मीदवार श्री भारमल उत्तम थामाजी, गांव नन्दुरवैद्य, डाकखाना असवाली, ताल्लुका इगतपुरी, जिला नासिक, महाराष्ट्र लोक प्रतिनिधित्व अधिनियम 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी, अपनी इस सफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री भारमल उत्तम थामाजी को संसद् के किसी भी सदन के या किसी राज्य के विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महा० वि० सं० 60/72 (57)]

बी० नागसुब्रमण्यन, सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 15th March, 1974

S.O. 866.—Whereas the Election Commission is satisfied that Shri Bharmal Uttam Thamaji, Village Nandurvaidya,

Post Asvali, Taluka Igatpuri, District Nasik (Maharashtra), a contesting candidate in the general election held in March, 1972, to the Maharashtra Legislative Assembly from 60-Igatpuri constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bharmal Uttam Thamaji, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order

[No. MT-LA/60/72(57)]

V. NAGASUBRAMANIAN, Secy.

बिस्स मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 6 मार्च, 1974

आय-कर

का० आ० 867.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को वैज्ञानिक और औद्योगिक अनुसंधान परिषद् विहित प्राधिकारी द्वारा, आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनों के लिए अनुमोदित किया गया है। यह अधिसूचना 1 अप्रैल, 1973 से प्रभावी है।

संस्था

एडमिनिस्ट्रेटिव स्टाफ कालेज आफ इंडिया, हैदराबाद।

[सं० 569 (फा० सं० 203/33/73-आई० टी० ए० ii)]

टी० पी० ज़ुनज़ुनवाला, उप-सचिव

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

New Delhi, the 6th March, 1974

INCOME-TAX

S.O. 867.—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961. This notification is effective from 1st April 1973.

INSTITUTION

Administrative Staff College of India, Hyderabad.

[No. 569 (F. No. 203/33/73-ITA. II)]

T. P. JHUNJHUNWALA, Dy. Secy.

(वैज्ञानिक विभाग)

नई दिल्ली, 22 मार्च, 1974

का० आ० 868.—वैज्ञानिक विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिजर्व बैंक की सिफारिश पर, भारत सरकार एतद्द्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, तूतीकोरिन कोआपरेटिव बैंक लि०, तूतीकोरिन पर 1 मार्च, 1972 से 29 जून, 1972 तक की अवधि के लिये लागू नहीं होंगे।

[सं० एफ० 8/2/73-ग० सी०]

(Department of Banking)

New Delhi, the 22nd March, 1974

S.O. 868.—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Tuticorin Co-operative Bank Ltd., Tuticorin, for the period from 1st March, 1972 to 29th June, 1972.

[No. F. 8/2/73-AC]

का० प्रा० 869.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिज़र्व बैंक की सिफारिश पर, भारत सरकार एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, पोरबन्दर विभागीय नागरिक सहकारी बैंक लि०, पोरबन्दर, पर 1 मार्च, 1973 से 28 फरवरी, 1974 तक की अवधि के लिये लागू नहीं होंगे।

[सं० एफ० 8/2/73-ए० सी०]

S.O. 869.—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Porbandar Vibhagiya Nagrik Sahakari Bank Ltd., Porbandar, for the period from 1st March, 1973 to 28th February, 1974.

[No. F. 8/2/73-AC]

का० प्रा० 870.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिज़र्व बैंक की सिफारिश पर, भारत सरकार एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध, कामरूप डिस्ट्रिक्ट सेन्ट्रल कोऑपरेटिव बैंक लि०, कामरूप और डिब्रुगढ़ सेन्ट्रल कोऑपरेटिव बैंक लि०, डिब्रुगढ़ पर 1 मार्च, 1973 से 28 फरवरी 1974 तक की अवधि के लिये लागू नहीं होंगे।

[सं० एफ० 8/2/73 ए० सी०]

S.O. 870.—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Kamrup District Central Co-operative Bank Ltd., Kamrup and the Dibrugarh Central Co-operative Bank Ltd., Dibrugarh, for the period from 1st March, 1973 to 28th February, 1974.

[No. F. 8/2/73-AC]

का० प्रा० 871.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय रिज़र्व बैंक की सिफारिश पर, भारत सरकार एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध,

बर्दवान सेंट्रल कोऑपरेटिव बैंक लि०, बर्दवान पर 30 सितम्बर 1972 से 28 जून, 1973 तक की अवधि के लिये लागू नहीं होंगे।

[सं० एफ० 8/2/73-ए० सी०]

ह० भवानी, अधर सचिव

S.O. 871.—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Burdwan Central Co-operative Bank Ltd., Burdwan for the period from 30th September, 1972 to 28th June, 1973.

[No. F. 8/2/73-AC]

K. BAVANI, Under Secy.

(केन्द्रीय उत्पाद तथा सीमा-शुल्क समाहृतलय, पश्चिम बंगाल)

कलकत्ता, 12 फरवरी, 1974

केन्द्रीय उत्पाद

का० प्रा० 872.—समाहृतणालय अधिसूचना सं० 4/1963—केन्द्रीय उत्पाद वि० 26-7-73 के क्र० 1 के अंतर्गत नियम 49 के समक्ष स्तम्भ 4 में निर्देशित शब्द और अंक रु० 750 के लिए शब्द और अंक रु० 1500 प्रतिस्थापित किये जायेंगे।

समाहृतणालय अधिसूचना सं० 2/1973—केन्द्रीय उत्पाद वि० 20-7-73 एतद्वारा प्रतिमंजूर किया जाता है।

[सी०एन०प्रो० iv(16)9-के०उ०/72]

एन० एन० रायचौधरी, समाहर्ता

(Collectorate of Central Excise and Customs, West Bengal)

Calcutta, the 12th February, 1974

CENTRAL EXCISE

S.O. 872.—In the Collectorate Notification No. 4/1963-Central Excise, dated 26-7-1973, for the word and figures Rs. 750 appearing in Col. 4 against Rule 49 under Sl. No. 1, the word and figures Rs. 1,500 shall be substituted.

Collectorate Notification No. 2/1973—Central Excise, dated 20-7-1973 is hereby rescinded.

[C. No. IV(16)9-CE/72]

N. N. ROY CHAUDHURY, Collector

आयकर आयुक्त कार्यालय

नई दिल्ली, 25 मार्च, 1974

का० प्रा० 873.—आयकर अधिनियम, 1961 की धारा 287 के अनुसार, भारत सरकार, वित्त मंत्रालय (राजस्व एवं सीमा विभाग), नई दिल्ली के आदेश एफ० सं० 16/202/67-प्राई०टी०वी०, दिनांक 25 मार्च, 1969 के द्वारा प्राधिकृत तथा निर्देशित निम्नलिखित निर्धारितियों, जिन पर वित्तीय वर्ष 1972-73 के दौरान आयकर अधिनियम 1961 के उपबन्धों के अधीन 5,000 रु० से कम नहीं का अर्थदंड लगाया गया तथा निर्धारित अवधि में उन्होंने आयकर अपील अधिकरण को कोई अपील नहीं की या अपील की तो उसका निपटान कर दिया गया, के नाम और उनसे संबंधित अन्य विनिर्दिष्ट विवरणों को एतद्वारा प्रकाशित किया जाता है।

वित्तीय वर्ष 1972-73

क्रमांक	निर्धारित का नाम व पता	प्रास्थिति	निर्धारण 4 वर्ष	अपेक्षित की राशि	चूक का स्वरूप
				रु०	
1.	श्री बलवीर सिंह, 12-जी, कीर्तिनगर, नई दिल्ली	व्यष्टि	1964-65 —वही— —वही—	93,000 6,000 25,067	आय का छुपाना। धारा 142(1) या 143(2) के अधीन नोटिस का अपासन। कुल आय की विवरणी निर्धारित अवधि में दाखिल न करना।
			1966-67	25,000	आय का छुपाना
2.	मै० भारत निधि लि०, 7-बाहुर शाह जफर मार्ग, टाइम्स हाउस, नई दिल्ली।	कम्पनी	1955-56	33,690	—वही—
3.	श्री जे० आर० मलिक, द्वारा एरोज सिनेमा, रेलवे रोड, गुडगांव।	व्यष्टि	1961-62 1962-63 1963-64 1964-65 1967-68 1968-69	5,290 8,120 7,610 18,920 5,200 6,068	—वही— —वही— —वही— —वही— —वही— कुल आय की विवरणी निर्धारित अवधि में दाखिल न करना।
4.	मै० आर० के० मणीन टूल्स, इंडस्ट्रियल एरिया-ए, लुधियाना।	फर्म	1965-66 1966-67	50,785 1,55,204	आय का छुपाना। वही—

[एफ० सी० एस० आई०/पी० एन० (1)/सी/73-74 आयकर]

पी०एन० सनहोला, आयकर आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME-TAX
New Delhi, 25th March, 1974

S. O. 873.—As authorised and directed by the Government of India, Ministry of Finance (Department of Revenue & Insurance), New Delhi's order F. No. 16/202/67-ITB, dated 25th March, 1969, in terms of Section 287 of the Income-tax

Act, 1961, the names and other specified particulars relating to the assessee on whom a penalty of not less than Rs. 5,000 was imposed under the provisions of the Income-tax Act, 1961, during the Financial Year 1972-73 where no appeal to the Income-tax Appellate Tribunal was presented within the time allowed or the appeal if presented, has been disposed of, are hereby published.

Financial Year 1972-73

Sl. No.	Name & address of the assessee.	Status	Asstt. Year	Amount of penalty.	Nature of default.
1.	Sh. Balbir Singh, 12-G, Kirti Nagar, New Delhi.	Indl.	1964-65 Do. Do. 1966-67	Rs. 93,000 Rs. 6,000 Rs. 25,067 Rs. 25,000	Concealment of Income. Non-compliance of notice u/s 142(1) or 143(2). Failure to file return of total income in time. Concealment of income.
2.	M/s. Bharat Nidhi Ltd., 7, Bahadur Shah Zafar Marg, Times House, New Delhi-1.	Coy.	1955-56	Rs. 33,690	Do.
3.	Sh. J.R. Malik, C/o Eros Cinema, Railway Road, Gurgaon.	Indl.	1961-62 1962-63 1963-64 1964-65 1967-68 1968-69	Rs. 5,290 Rs. 8,120 Rs. 7,610 Rs. 18,920 Rs. 5,200 Rs. 6,068	Do. Do. Do. Do. Do. Failure to file return of total income in time.
4.	M/s. R.K. Machine Tools, Industrial Area-A, Ludhiana.	Firm	1965-66 1966-67	Rs. 50,785 Rs. 1,55,204	Concealment of income. Do.

[F.No. SI/PN(1)/C/73-74 Income-tax]

P. L. MALHOTRA Commissioner
of Income-tax.

बाणिज्य मंत्रालय

आदेश

नई दिल्ली, 25 मार्च, 1974

का० आ० 874.—आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार विस्कोस स्टैपल तंतु वितरण नियंत्रण अधिनियम, 1972 में और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात्:—

- (1) इस आदेश का नाम विस्कोस स्टैपल तंतु वितरण नियंत्रण (संशोधन) आदेश, 1974 है।
- (2) यह तुरन्त प्रवृत्त होगा।
2. विस्कोस स्टैपल तंतु वितरण नियंत्रण अधिनियम, 1972 के पैरा 2 में, खण्ड (क) के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात्:—
'(क) "अधिनियम" से उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) अभिप्रेत है।'

[फाइनल सं० 17013/1/टेक्स (5)/72]

मणि नारायणस्वामी, संयुक्त सचिव

MINISTRY OF COMMERCE

ORDER

New Delhi, the 25th March, 1974

S.O. 874.—In exercise of the powers conferred by Section-3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Viscose Staple Fibre Distribution Control Order, 1972, namely:—

1. (1) This Order may be called the Viscose Staple Fibre Distribution Control (Amendment) Order, 1974.

(2) It shall come into force at once

2. In paragraph 2 of the Viscose Staple Fibre Distribution Control Order, 1972, for clause (a), the following clause shall be substituted, namely:

'(a) "Act" means the Industries (Development and Regulation) Act, 1951 (65 of 1951).'

[F. N. 17013/1/Text (V)/72]

MANI NARAYANSWAMI, Joint Secy.

नई दिल्ली, 6 अप्रैल, 1974

का० आ० 875.—निर्यात (गुणवत्ता नियंत्रण तथा निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा कि आन्ध्र प्रदेश स्टेट बेयर-हाउसिंग कारपोरेशन (आन्ध्र प्रदेश सरकार द्वारा प्रायोजित उपक्रम), हैदराबाद को तेल-रहित जनावल की भूसी के, उसके निर्यात से पूर्व, गुणवत्ता नियंत्रण तथा निरीक्षण के लिये अधिकरण के रूप में एक वर्ष की अवधि के लिये मान्यता देती है और यह निवेश देती है कि भारत सरकार के बाणिज्य मंत्रालय की अधिसूचना सं० 3608 दिनांक 16 नवम्बर, 1965 में और आगे निम्नलिखित संशोधन किया जायेगा, यथा:

उक्त अधिसूचना में क्रम सं० 14 तथा तत्संबंधी प्रविष्टि के बाद निम्नलिखित अन्तः स्थापित किया जायेगा, यथा:—

"14 आन्ध्र प्रदेश स्टेट बेयर हाउसिंग कारपोरेशन, हैदराबाद।"

[सं० 5(6)/73-ई०आई०एण्ड ई०पी०]

एम० के० बी० भटनागर, प्रवर सचिव

New Delhi, the 6th April, 1974

S.O. 875.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a period of one year, the Andhra Pradesh State Warehousing Corporation (a Government of Andhra Pradesh sponsored Undertakings), Hyderabad, as the Agency for quality control and inspection of de-oiled rice bran prior to its export and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Commerce, No. S.O. 3608 dated the 16th November, 1965 namely:—

In the said notification, after serial No. 14 and the entry relating thereto, the following shall be inserted namely:—

"15. Andhra Pradesh State Warehousing Corporation, Hyderabad".

[No. 5(6)/73-EI&EP]

M. K. B. BHATNAGAR, Under Secy.

उप-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

कोचीन, 24 जनवरी, 1974

विषय: सर्वश्री प्रताप इंडस्ट्रीज, पी०बी०सं० 22, तिरु, केरल को जारी किए गए लाइसेंस सं०पी०/एम/1786406/सी/एक्स/एक्स 47/ई/35/दिनांक 18-6-73 (मुद्रा विनियम नियंत्रण प्रयोजन प्रति) का रद्द करना।

का० आ० 876.—सर्वश्री प्रताप इंडस्ट्रीज पी०बी० 22 तिरु, केरल को लघु पैमाने उद्योग प्राथमिकता प्राप्ति श्रेणी के अंतर्गत औषध तथा भेषज एवं रसायनों के आयात के लिए 217050 रु० (दो लाख सत्रह हजार पचास रु० मात्र) का आयात लाइसेंस सं० पी०/एम/1786406/सी/एक्स एक्स /47/ई/35-36 दिनांक 18-6-73 स्वीकृत किया गया था:

अब उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस बिल्कुल उपयोग किए बिना ही खो गया/अस्थानस्थ हो गया है।

मैं संतुष्ट हूँ कि लाइसेंस सं०पी०/एम/1786406/सी/एक्स एक्स/47/ई/35-36 दिनांक 18-6-73 की मूल मुद्रा विनियम नियंत्रण प्रयोजन प्रति बिल्कुल उपयोग किए बिना ही खो गई/अस्थानस्थ हो गई है और निदेश देता हूँ कि आवेदक को उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति जारी की जाए।

[संख्या:—2/74/एस एस आई]

आर जयराम नायडू, उप-मुख्य नियंत्रक

OFFICE OF THE DY. CHIEF CONTROLLER OF IMPORTS AND EXPORTS

ORDER

Cochin, 24th January, 1974

SUBJECT. Cancellation of licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 (Exchange Control Purposes copy) issued to M/s. Pratap Industries, P. B. No. 22, Tirur, Kerala.

S.O. 876.—M/s. Pratap Industries, P. B. No. 22, Tirur, Kerala was granted licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 for Rs. 217050 (Rupees two lakhs seventeen thousand and fifty only) for Drugs and Medicines and chemicals under the S.S.I. Priority category.

They have now applied for duplicate Exchange control purposes copy of the said licence on the ground that the original licence has been lost/misplaced fully unutilised. In support of his claim, the applicant has filed an affidavit in the prescribed form.

I am satisfied that the original Exchange Control purposes copy of the licence No. P/S/1786406/C/XX/47/E/35-36 dt. 18-6-73 has been lost/misplaced, fully unutilised, and direct that the duplicate Exchange control purposes copy of the said licence be issued to the applicant.

[No. 2/74/SSI]

R. JAYARAM NAIDU, Dy. Chief Controller

उप-मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

बंगलूर, 8 जनवरी, 1974

विषय.—लाइसेंस सं० पी०/एल०/2692933/सी०/एक्स एक्स/47/एक्स/35-36/एफ० 1.3 दिनांक 16-5-73 और दो रिहाई आदेशों सं० पी०/एल०/आर०/502937 तथा पी०/एल०/आर०/502938 दोनों का दिनांक 1-5-1973 को रद्द करना।

का० आ० 877.—सर्वश्री मलबरी एक्वेटिक प्रोडक्ट्स लि०, पोस्ट उल्लाल, मंगलूर, द० कनारा को लाइसेंस अवधि अप्रैल-मार्च 73 के लिए पंजीकृत निर्यातक नीति के अधीन 2,04,873/ रुपये के लिए एक आयात लाइसेंस सं० पी०/एल०/2692933/सी०/एक्स एक्स/47/एक्स/35.36/एफ० 1.3 दिनांक 16-5-73 और 5391 रुपये के लिए राज्य व्यापार निगम, नई दिल्ली से सिट्रिक एसिड की रिहाई के लिए आदेश सं० पी०/एल०/आर०/502937/एक्स/35.36 दिनांक 16-5-73 और 5391 रुपये के लिए खनिज तथा धातु व्यापार निगम, नई दिल्ली से 18 जी० से मोटी जंगलरोधी इस्पात चद्दों तथा गढ़ाई के लिए प्लेटों और संसाधन उपस्कर के लिए रिहाई आदेश सं० पी०/एल०/आर०/502938/एक्स/35.36 दिनांक 18-5-73 प्रदान किए गए थे।

पंजीकृत डाक से प्रेषित किए गए उपर्युक्त आयात लाइसेंस और दो रिहाई आदेश सर्वश्री मलबरी एक्वेटिक प्रोडक्ट्स लि०, पोस्ट उल्लाल मंगलूर, द० कनारा फर्म को प्राप्त न होने की सूचना मिली है और प्रतीत होता है कि वे डाक-मार्ग में खो गए हैं। इसलिए लाइसेंस सं० पी०/एल०/2692933/सी०/एक्स एक्स/47/एक्स/35.36/एफ० 1.3 दिनांक 16-5-73 मूल्य 2,04,873 रुपये और दो रिहाई आदेश सं० पी०/एल०/आर०/502938/एक्स/35.36 दिनांक 16-5-73 तथा पी०/एल०/आर०/502937/एक्स/35.36 दिनांक 16-5-73 एतद् द्वारा रद्द किये जाते हैं।

[सं० फिश-20/आ० सी०-72/आर०ई०पी०/बंग/2078]

OFFICE OF THE DY. CHIEF CONTROLLER OF IMPORTS AND EXPORTS

ORDER

Bangalore, the 8th January, 1974

Sub : Cancellation of Import Licence No. P/L/2692933/C/XX/47/X/35.36/F.1.3. dated 16-5-73 and two Release Orders No. P/L/R/502937 and P/L/R/502938 both dated 16-5-1973.

S.O. 877.—M/s. Mulberry Aquatic Products Ltd., Ullal, Mangalore, South Kanara have been granted an Import Licence No. P/L/2692933/C/XX/47/X/35.36/F.1.3 dated 16-5-73 for Rs. 2,04,873/- under the R.E.P. for AM 73 Licensing Period and two Release Orders No. P/L/R/502937/X/35-36 dated 16-5-73 for release of Citric Acid from the STC, New Delhi for Rs. 5391/- and No. P/L/R/502938/X/35-36

dated 16-5-73 for Rs. 5391/- for release of Stainless Steel Sheets thicker than 18G and Plates for fabrication and processing equipment from the MMTC, New Delhi.

The above Import licence and the two Release Orders despatched under Registered Post are reported to have not been received by the firm M/s. Mulberry Aquatic Products Ltd., Post Ullal, Mangalore, South Kanara and appear to have been lost in Postal transit. The licence No. P/L/2692933/C/XX/47/X/35-36/F. 1.3 dated 16-5-73 for Rs. 2,04,873/- and the two Release Orders No. P/L/R/502937/X/35.36 dated 16-5-73 and No. P/L/R/502938/X/35.36 dated 16-5-73 are, therefore, hereby cancelled.

[No. Fish. 20/OD 72/REP/Bang/2078]

आदेश

बंगलूर, 10 जनवरी, 1974

विषय.—आयात लाइसेंस सं० पी०/एल०/2692921/सी०/एक्स एक्स/47/एक्स/37.38/जी० 6.2, जी० 6.3 तथा जी० 44 दिनांक 10-5-1973 को रद्द करना।

का० आ० 878.—सर्वश्री रोरिक एण्ड कम्पनी लि०, रोरिक हाउस, मोदी संत नाडियाड, गुजरात को लाइसेंस अवधि जे० एम० '73 के लिए पंजीकृत निर्यातक नीति के अधीन 12,569 रुपये मूल्य का एक आयात लाइसेंस सं० पी०/एल०/2692921/सी०/एक्स एक्स/47/एक्स/37.38/जी० 6.2, जी० 6.3 तथा जी० 44 दिनांक 10-5-73 निम्नलिखित मदों के लिए प्रदान किया गया है:—

1. अशानिकर आहार रंग (प्र०आ० अधिनियम के अन्तर्गत अनुमिन्)
2. हिंग
3. पेक्टिन
4. मसाले अर्थात् दाल जीनी, जायफल तथा लवंग, तारा सौफ, जयपत्र पत्तियां और सभी मसाले (पिमेंटो)
5. रेगमाल, चिकनाई, मह्य कागज, वनस्पति चर्मपत्र और अन्य अनुमेय संवेष्टन सामग्री।

पंजीकृत डाक से प्रेषित किए गए उपर्युक्त आयात लाइसेंस फर्म सर्वश्री रोरिक एण्ड कम्पनी लि०, रोरिक हाउस, मोदी संत, नाडियाड, गुजरात को प्राप्त न होने की सूचना मिली है और प्रतीत होता है कि वह डाक मार्ग में खो गया है। इसलिए लाइसेंस संख्या पी०/एल०/2692921/सी०/एक्स एक्स/47/एक्स/37.38/जी० 6.2, जी० 6.3 और जी० 44 दिनांक 10-5-1973 एतद् द्वारा रद्द किया जाता है।

[सं० पी० एफ० 1/जे० एम०/73/आर०ई०पी०/बंग]

ORDER

Bangalore, the 10th January, 1974

Sub : Cancellation of Import Licence No. P/L/2692921/C/XX/47/X/37.38/G.6.2, G.6.3 & G.44 dated 10-5-1973.

S.O. 878.—M/s. Roreick & Co. Ltd., Roreick House, Modi Santh, Nadiad, Gujarat have been granted an Import Licence No. P/M/2692921/C/XX/47/X/37.38/G.6.2, G.6.3 & G.44 dated 10-5-1973 for Rs. 12,569/- under the R.E. for JM'73 Licensing Period for the items :

1. Harmless Food Colours (Permitted under P.F. Act).
2. Asafoetida.
3. Pectin.
4. Spices namely Cinamon, Nutmegs and Cloves, Star Anise, Laurel Leaves and all spices (Pimento)
5. Glassine paper, Grease Proof papers, Vegetable Parchment paper and other permissible packing materials.

The above Import Licence despatched under Registered Post is reported to have not been received by the firm M/s Roreick & Co. Ltd., Roreick House, Modi Santh, Nadiad, Gujarat and appear to have been lost in postal transit. The Licence No. P/M/2692921/C/XX/47/X/37.38/G.6.2, G.6.3 & G.44 dated 10-5-1973 is therefore hereby cancelled.

[No. PF. 1/JM. 73/REP/Bang./2085]

आदेश

बंगलोर, 16 जनवरी, 1974

विषय:—49,663 रु० के लिए जारी किए गए लाइसेंस सं० पी०/एम०/2692820/सी०/एक्स० एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-1973 की मुद्रा विनियम नियंत्रण प्रति को रद्द करना।

का०आ०. 879.—सर्वश्री बलन्जा इंडस्ट्रीज, 8/209, कांडला क्रॉस रोड, मंगलूर-3 को सर्वश्री मित्रार गोविन्द अन्नप्पा राय एण्ड सन्स, बीच रोड, बन्दर, मंगलूर-1 के नामजद फर्म के रूप में निम्नलिखित मूल के आयात के लिए 49,663 रु० का लाइसेंस सं० पी०/एम०/2692820/सी०/एक्स० एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-73 स्वीकृत किया गया है:—

“दफ्ती के डिब्बों के निर्माण के लिए गत्ता/जैसे बोहरा गत्ता, तेहरा गत्ता, हाथी खान गत्ता, आहार गत्ता तथा क्राफ्ट लाइनर।”

उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रति के लिए इस आधार पर आवेदन किया है कि मूल प्रति किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत कराए बिना और उसका बिल्कुल उपयोग किए बिना ही अस्थानस्थ हो गई है। अब अनुलिपि मुद्रा विनियम नियंत्रण प्रति की आवश्यकता पूरे लागत सीमा भाड़ा मूल्य अर्थात् 49,663 रु० के लिए है। अपने दावे के समर्थन में आवेदक ने एक स्टाम्प कागज पर एक शपथ पत्र दाखिल किया है।

मैं संतुष्ट हूं कि लाइसेंस सं० पी०/एम०/2692820/सी०/एक्स० एक्स०/46/एक्स०/35.36/आई० 1.1 दिनांक 17-3-73 की मूल मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई है और निदेश देता हूं कि आवेदक फर्म को लाइसेंस की अनुलिपि प्रति जारी की जानी चाहिए।

लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति रद्द की जाती है।

[सं० सी० के० 1/ओ०डी० 72/आर०ई०पी०/बंग/2143]

के० जयरामन,
उप-मुख्य नियंत्रक,

ORDER

Bangalore, the 16th January, 1974

Sub : Cancellation of Exchange Control copy of licence No. P/M/2692820/C/XX/46/X/35.36/L.1.1 dated 17-3-1973 for Rs. 49,663/-.

S.O. 879.—M/s. Balanja Industries, 8/209, Kandla Cross Road, Mangalore-3 have been granted licence No. P/M/2692820/C/XX/46/X/36-36/L.1.1 dated 17-3-73 for Rs. 49,663/- as a nominee firm of M/s. Mizar Govinda Annappa Pai & Sons, Beach Road, Bunder, Mangalore-1 for import of the item mentioned below :

“Card Board/Namely Duplex Board, Triplex Board, Ivory Board, Sulphite Board and Food Board and Kraft Liner/for fabrication of cartons”.

They have applied for Duplicate copy of the Exchange Control copy of the said licence on the ground that the original has been misplaced without having been Registered with any Custom Authorities and not utilised at all. The

Duplicate Exchange Control Copy is now required for the full C.I.F. value of Rs. 49,663/-. In support of their claim the applicant has filed an affidavit on a stamped paper.

2. I am satisfied that the original Exchange Purposes copy of the licence No. P/M/2692820/C/XX/46/X/35.36/L.1.1 dated 17-3-73 has been misplaced and direct that the duplicate copy of the licence be issued to the applicant. firm.

3. The original Exchange Control Purposes copy of the licence is hereby cancelled.

[No. CK. 1/OD/72/REP/Bang/2143]

K. JAYARAMAN, Dy. Chief Controller

संयुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय केन्द्रीय लाइसेंस क्षेत्र

आदेश

नई दिल्ली, 15 सितम्बर, 1973

का०आ० 880—श्री परमानन्द मार्फत जनरल इंजीनियरिंग कार्पोरेशन, 20, औद्योगिक ईस्टेट ब्रोखला, नई दिल्ली-20 को मोटर व्हीकल पुर्जों के आयात के लिए 900 रुपये मूल्य का एक लाइसेंस सं० पी०/सी० सी०/2360908 दिनांक 15-3-1971 जारी किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति दोनों की अनुलिपियों के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस (दोनों प्रतियां) बिना उपयोग किए और भारत में किसी पत्तन पर बिना पंजीकृत कराए खो गया/अस्थानान्तरण हो गया है।

2. अपने तर्क के समर्थन में आवेदक ने आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैन्डबुक, 1973-74 के परिशिष्ट 8 के साथ पढ़े जाने वाले पैरा 318(2) में यथाप्रयोजित एक शपथपत्र 2 रुपये (दो रुपये मात्र) के स्टाम्प कागज पर दाखिल किया है। मैं संतुष्ट हूं कि मूल सीमाशुल्क निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई।

3. अद्यतन यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 धारा 9 (सी०सी०) द्वारा प्रवृत्त अधिकारों का उपयोग करने हुए मैं लाइसेंस सं० पी०/सी०सी०/2360908 दिनांक 15-3-1971 की सीमाशुल्क निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति रद्द करने का आदेश देता हूं।

4. अब आवेदक के मामले पर उपयुक्त लाइसेंस की सीमाशुल्क निकासी प्रति और मुद्रा विनियम नियंत्रण प्रति की अनुलिपियां जारी करने के लिए आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैन्डबुक 1973-74 के पैरा 320(1) के अनुसार विचार किया जायेगा।

[संख्या सी०सी०पी०/102/ए० एम०-71/सी०डी०एन०/सी०एल०ए०/827]

ए० टी० मुखर्जी, उप-मुख्य नियंत्रक,
कृते संयुक्त मुख्य नियंत्रक

OFFICE OF THE JT. CHIEF CONTROLLER of IMPORTS AND EXPORTS

(Central-Licensing Area) Indraprastha Bhawan : New Delhi.

CANCELLATION ORDER

New Delhi, the 15th September, 1973

S.O. 880.—Shri Parmanand, c/o. General Engineering Corporation, 20, Okhla Industrial state, New Delhi-20 was issued licence No. P/CC/2360908 dated 15-3-1971 for Rs. 900/- for the import of motor Vehicle Parts. They have applied for issue of duplicate copy of the above said licence both for customs as well as exchange control purposes on the ground

that the original licence (both copies) has been lost/misplaced without having been utilised and registered at any port in India.

(2) The applicant has filed an affidavit on stamped paper of Rs. 2/- (Rupees Two only) in support of their contention as required under para 318(2) read with appendix-8 of I.T.C. Hand Book of Rules & Procedure, 1973-74. I am satisfied that the original Custom as well as exchange control purposes copies have been misplaced.

(3) In exercise of the Powers conferred on me under clause 9 (cc) imports (contd.) order, 1965 dated 7-12-1965 as amended upto date, I order the cancellation of custom as well as exchange control purposes copies of licence No. P/CC/2360908 dated 15-3-1971.

(4) The applicant's case will now be considered for the issue of duplicate copies of customs as well as exchange control purposes copies of the above said licence in accordance with para 320(1) of I.T.C. Hand Book of Rules and Procedure, 1973-74.

[CCP/102/AM : 71/CDN/CLA/327]

A. T. MUKHERJEE, Dy. Chief Controller
for Jt. Chief Controller

आदेश

नई दिल्ली, 17 अक्टूबर, 1973

का०ग्रा० 881.—सर्वथी आर०आर० इलेक्ट्रॉनिक इंडस्ट्रीज, जमदोली, आगरा रोड, जयपुर को (1) 2 एम एम से 13 एम एम तक की 32 एम डब्ल्यू जी डायमीटर से पतली पीतल-ट्यूबों (2) 2782 रु० तक फासफर ब्रॉज स्ट्रिप्स/बोरिलियम तांबा स्ट्रिप्स के आयात के लिए 18,550 रु० का एक आयात लाइसेंस सं० पी/एम/1777081 दिनांक 8-6-72 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रतियां बिना उपयोग किए ही खो गई/अस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(2) के अंतर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियां खो गई/अस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9 (सी सी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं० पी/एम/1777081/सी दिनांक 8-6-72 की मूल मुद्रा विनियम नियंत्रण तथा सीमाशुल्क कार्यसंबंधी प्रतियों को रद्द करने का आदेश देता हूँ।

आवेदक को अब आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक 1972-73 की कंडिका-318 (4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियां अलग से जारी की जा रही हैं।

[मि० सं० : पी/आर-9(एन)/ए एम-72/ए यू-राज तथा एडहक/सी एल ए/ 2650 ह०/-]

ORDER

New Delhi, the 17th October, 1973

S.O. 881.—M/s. R. R. Electronic Industries, Jamdoli, Agra Road, Jaipur were granted import licence No. P/S/1777081/C dt. 8-6-72 for Rs. 18,550 for import of (1) Brass Tube Thinner than 32 SWG Diameter Ranging from 2 MM to 13 MM, (2) Phosphor bronze Strips/Beryllium Copper strips upto Rs. 2782. They have applied for issue of duplicate

copies of Exchange Control and Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purpose copies of licence No. P/S/1777081/C dt. 8-6-72

The applicant is now being issued a duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. P/R-9(N)/AM-72/AU. Raj.&Adhc/CLA/2650]

आदेश

का०ग्रा० 882.—सर्वथी फूल इंडस्ट्रीज, मेरती मिलवटो का बास, जोधपुर (राज०) को 1.1 एमएम से पतली पारदर्शक ए०पी० शीट्स (2) सी एन राडों तथा ट्यूबों तथा (3) निपेड तथा प्रतिबंधित से भिन्न आर्गेनिक रंजक रंगों के आयात के लिए 5000 रु० का एक आयात लाइसेंस सं० पी/एम/1800926 दिनांक 24-5-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण तथा सीमाशुल्क कार्यसंबंधी प्रतियों के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रतियां बिना उपयोग किए ही खो गई/अस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्क के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(2) के अंतर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियां खो गई/अस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9 (सी सी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं० पी/एम/1800926 दिनांक 24-5-73 की मूल मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियों को रद्द करने का आदेश देता हूँ।

आवेदक को अब आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण तथा सीमा-शुल्क कार्यसंबंधी प्रतियां अलग से जारी की जा रही हैं।

[मि० संख्या: एन पी/पी-23(एन)/ए एम-73/ए यू-राज एडहक/सी एल ए/2692]

ORDER

S.O. 882.—M/s. Phool Industries, Merti Silwaton Ka Bas, Jodhpur (Raj.) were granted import licence No. P/S/1800926/C dt. 24-5-73 for Rs. 5,000 for import of (1) Transparent A. P. Sheets, thinner than 1.1 MM, (2) C.N. Rods & Tubes and (3) Organic Pigments Colours other than banned/restricted. They have applied for issue of duplicate copies of Exchange Control and Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purposes copies of licence No. P/S/1800926/C dt 24-5-73.

The applicant is now being issued duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. F. NP/P-23(N)/AM-73/AU. Raj.&Adhoc/CLA/2692]

आदेश

का०प्रा० 883.—मर्चशी फूल इंडस्ट्रीज, मेरती सिलवटों का बास, जोधपुर (राज०) को (1) पर्सल इंसेंस तथा (2) निषेध तथा प्रतिबंधित से भिन्न आर्थनिक रंजक रंगों के आयात के लिए 5000 रु० का एक आयात लाइसेंस सं० पी/एम/1800600/ सी दिनांक 24-5-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्यसंबंधी तथा मुद्रा विनिमय नियंत्रण प्रतियों के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रतियां बिना उपयोग किए ही खो गई/अस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्कों के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(2) के अंतर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल मुद्रा विनिमय नियंत्रण तथा सीमाशुल्क कार्यसंबंधी प्रतियां खो गई/अस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश, 1955-दिनांक 7-12-1955 की धारा 9(सी सी) के अंतर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं० पी/एम/1800600/सी दिनांक 24-5-73 की मूल मुद्रा विनिमय नियंत्रण तथा सीमाशुल्क कार्यसंबंधी प्रतियों को रद्द करने का आदेश देता हूँ।

आवेदक को अब आयात व्यापार नियंत्रण नियम क्रियाविधि तथा हैडबुक 1972-73 की कंडिका 318(4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण तथा सीमाशुल्क कार्य-संबंधी प्रतियां अलग से जारी की जा रही हैं।

[सि० संख्या : एन पी/पी-19(एन)/ए एम-73/ए यू० (राज) तथा एडहोक/सी एन ए/2734]

ORDER

S.O. 883.—M/s. Phool Industries, Merti Silawaton Ka Bas, Jodhpur (Raj.) were granted import licence No. P/S/1800600/C dt 24-5-73 for Rs. 5,000 for the import of (1) Pearls Essence and (2) Organic Pigment Colours other than banned and restricted. They have applied for issue of duplicate copies of Exchange Control & Customs purposes copies thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the original Exchange Control and Customs purposes copies have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7-12-1955, I order the cancellation of Exchange Control and Customs purposes copies of licence No. P/S/1800600/C dt. 24-5-73.

The applicant is now being issued duplicate copies of Exchange Control and Customs purposes copies of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[No. F. NP/P-19(N)/AM-73/AU. Raj.&Adhoc/CLA/2734]

आदेश

नई दिल्ली 13 दिसम्बर 1973.

का०प्रा० 884.—मर्चशी शिव ओटोमोबाइल, गोवाल भवन, बेरा के वालाजी का बस्ता, जयपुर (राजस्थान) को (1) 100 आली से बारीक फेरस तथा गैर फेरस तार जाली, (2) आटोमोबाइल के लिए फिल्टरों के विनिर्माण के लिए फिल्टर पत्र, (3) सीसी लब्राई या कुटली में एम

एसशीट कटिंग तथा नुस्खाली शीटों के आयात के लिए (प्रत्येक) 12,000 रुपये के लिए आयात लाइसेंस संख्या पी/एम/1799336/सी तथा पी/एम/1799337 दिनांक 23-2-73 प्रदान किए गए थे। उन्होंने उनकी सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रतियों के लिए इस आधार पर आवेदन किया है कि ये बिना कुछ भी उपयोग किए ही खो गई/अस्थानस्थ हो गई हैं।

आवेदक ने आयात व्यापार नियंत्रण हैडबुक, क्रियाविधि, 1972-73 के पैरा 318(2) के अंतर्गत यथा अपेक्षित अपने तर्कों के समर्थन में एक शपथ-पत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल लाइसेंस खो गए/अस्थानस्थ हो गए हैं।

आयात नियंत्रण आदेश, 1955, दिनांक 7-12-1955 की धारा 9 (सी सी) के अंतर्गत मेरे प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस संख्या पी/एम/1799336 और पी एम/1799337 की सीमाशुल्क प्रयोजन तथा मुद्रा विनिमय नियंत्रण प्रतियों को रद्द करने का आदेश देता हूँ।

आवेदक को अब आयात व्यापार नियंत्रण हैडबुक क्रियाविधि, 1972-73 के पैरा 318(4) की व्यवस्थाओं के अनुसार इन लाइसेंसों के अनुलिपि लाइसेंस जारी किए जा रहे हैं।

[संख्या पी/एम-3(एन)/ए एम/73/ए यू राज एडहोक/सी एन ए/3822]

ORDER

New Delhi the 13th December, 1973

S.O. 884.—M/s. Shiva Automobiles, Gokal Bhawan, Bari Ke Bala Ji Ka Pasta, Jaipur (Raj) were granted import licence No. P/S/1799336/C & P/S/1799337 dt. 23-2-73 for Rs. 12000 (each) for import of (1) Ferrous and Non-ferrous wire Mesh finer than 100 mesh, (2) Filter paper for the manufacture of Filters for Automobiles, (2) M.S. Sheets cutting and defective sheets in straight length or in Coil (excluding coated sheets cutting and defective). They have applied for issue of duplicate copies of Customs purpose and Exchange Control Copy, thereof on the ground that these have been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the Original licences have been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955 dt. 7th December, 1955, I order the cancellation of the Customs purpose and Exchange Control copies of the licence Nos. P/S/1799336 and P/S/1799337 dt. 23-2-1973.

The applicant is now being issued the duplicate licences of these licences in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure 1972-73.

[No. P/S-3(N)/AM-73/AU. Raj. & Adhoc/CLA/3822]

आदेश

नई दिल्ली, 31 जनवरी, 1974

का०प्रा० 885.—मर्चशी प्रकाश पलवराईजिंग सिस्स, इंडस्ट्रियल एरिया अलवर (राज०) को पी०जी० रेड आक्साइड के आयात के लिए 12,286 रु० का एक आयात लाइसेंस सं० पी/एम/179934 दिनांक 23-2-73 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमाशुल्क कार्यसंबंधी प्रति के लिए इस आधार पर आवेदन किया है कि उपर्युक्त प्रति बिना उपयोग किए ही खो गई/अस्थानस्थ हो गई हैं।

आवेदक ने अपने तर्कों के समर्थन में आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(2) के अंतर्गत अपेक्षित शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमा-शुल्क कार्यसंबंधी प्रति खो गई/अस्थानस्थ हो गई हैं।

आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की धारा 9(सीसी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर मैं लाइसेंस सं० पी/एम/1799334/सी दिनांक 23-2-73 की मूल सीमा-शुल्क कार्यसंबंधी प्रति को रद्द करने का आदेश देता हूँ।

आवेदक को अब आयात व्यापार नियंत्रण नियम तथा क्रियाविधि हैडबुक, 1972-73 की कंडिका 318(4) की व्यवस्थाओं के अनुसार उपर्युक्त लाइसेंस की अनुलिपि सीमा-शुल्क कार्यसंबंधी प्रति अलग से जारी की जा रही है।

[मि० सं० : पी/पी-3/एम-73/ए यू-गज तथा एडवाक/सी एल ए/4525]

के०आर० धीर, उप-मुख्य नियंत्रक
ऊर्ध्व संयुक्त मुख्य नियंत्रक

Office of the Jt. Chief Controller of Imports and Exports
(Central-Licensing Area)

ORDER

New Delhi, the 31st January, 1974

S.O. 885.—M/s. Prakash Pulversing Mills, Industrial Area Alwar (Raj.), Were granted import licence No. P/S/1799334/C dt. 23-2-73 for Rs. 12,286 for import of P. G. Red Oxide. They have applied for issue of duplicate copy of Customs Purposes copy thereof on the ground that it has been lost/misplaced without having been utilised.

The applicant have filed an affidavit in support of their contention as required under para 318(2) of I.T.C. Hand Book of Rules and Procedure, 1972-73. I am satisfied that the original Customs Purposes copy has been lost/misplaced.

In exercise of the powers conferred on me under section 9(CC) Import Control Order, 1955, dated 7th Dec. 1955, I order the cancellation of Customs Purposes copy of licence No. P/S/1799334/C dated 23-2-73.

The applicant is now being issued a duplicate copy of Customs Purposes copy of this licence in accordance with the provisions of para 318(4) of I.T.C. Hand Book of Rules and Procedure, 1972-73.

[F. No. P/P-3/AM-73/AU. Raj & Adhoc/CLA/4525]

K. R. DHEER, Dy. Chief Controller
for Joint Chief Controller

संयुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

(लोग तथा इस्पात प्रभाग)

आदेश

बम्बई, 24 जनवरी, 1974

विषय:—सर्वश्री राष्ट्रीय ट्रंक फैक्ट्री, 14, 15/162 मौलाना आज़ाद रोड, बम्बई-8 को जारी किए गए आयात लाइसेंस सं० 8231500 दिनांक 30-3-72 की मुद्रा विनियम नियंत्रण प्रति और सीमाशुल्क निकासी प्रति को रद्द करना।

का०आ० 886.—सर्वश्री राष्ट्रीय ट्रंक फैक्ट्री 14, 15/162 मौलाना आज़ाद रोड, बम्बई 8 को अप्रैल 71/मार्च 72 अवधि के लिए निम्नलिखित अनुसार एक आयात लाइसेंस जारी किया गया था :—

आयात लाइसेंस सं० और दिनांक	विवरण	मूल्य
		रुपये
पी/एम/8231500/सी/एम् एम्/42/बी/33-34 दिनांक 30-3-72	सीधी लंबाई में 5 मि० सी० से कम मोटाई वाली प्राइम क्वालिटी बी० पी० शीट्स (होट तथा कोल्ड रोल्ड)	5,000

अब उन्होंने उपर्युक्त आयात लाइसेंस की मुद्रा विनियम नियंत्रण प्रति और सीमाशुल्क निकासी प्रति दोनों रद्द समझी जाने के लिए इस आधार पर आवेदन किया है कि दोनों प्रतियां खो गई हैं। उन्होंने यह भी उल्लेख किया है कि मूल न तो किसी सीमा शुल्क कार्यालय में पंजीकृत कराया गया था और न ही 5000/- के पूर्ण की मूल्य की सीमा तक उपयोग किया था।

इस तर्क के समर्थन में आवेदक ने एक मजिस्ट्रेट द्वारा विधिवत् माध्याह्निक स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस सं० 8231500 दिनांक 30-3-72 की मुद्रा विनियम नियंत्रण प्रति और सीमा शुल्क निकासी प्रति खो गई है। उपर्युक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रति और सीमाशुल्क निकासी प्रति 5000/- रुपये की पूर्ण धनराशि के लिए रद्द की जाती है।

[संख्या : 212/9261/एम एम आई/ई/एन पी/एम० 72]

बी० सी० बनर्जी उप-मुख्य नियंत्रण,

Office of the Jr. Chief Controller of Import and Exports

(Iron & Steel Division)

ORDER

Bombay, the 24th January, 1974

Subject:—Cancellation of Exchange Control and Customs Clearance Purpose Copies of Import Licence No. 8231500 dt. 30-3-72 issued to M/s. Rashtriya Trunk Factory, 14, 15/162 Maulana Azad Road, Bombay-8.

S. O. 886.—M/s. Rashtriya Trunk Factory, 14, 15/162, Maulana Azad Road, Bombay-8, were issued Import licence for April 71/March 72 period as under :—

I/L No. and Date	Description	Value
		Rs.
P/S/8231500/C/XX/42/B/33-34 dt. 30-3-72.	Prime Quality B.P. Sheets below 5mm thickness straight length (Hot and Cold Rolled).	5,000

2. They have now requested to treat both Exchange Control and Custom Clearance purpose copies of the above mentioned import licence as cancelled, on the ground that both the Exchange Control and Customs Clearance Purpose copies have been lost. It is further stated that the original licence was neither registered with any Customs House nor utilised by them to the extent of full value of Rs. 5,000.

3. In support of this contention, the applicant has filed an affidavit on a stamped paper duly attested by a Magistrate.

4. I am satisfied that the Exchange Control and Customs Clearance Purpose copies of the import licence No. 8231500 dated 30-3-72 have been lost. The Exchange Control and Customs Clearance copies of the above import licence are cancelled for the full amount of Rs. 5,000.

[No. 212/9261/SSI/E/NP/AM 72]

B. C. BANERJEE, Dy. Chief Controller

आदेश

बम्बई 6 फरवरी, 1974

संख्या :— 836/319335/एम एम आई/एन पी/एन०/एम 73/आई एण्ड एम्/एन० 3

विषय:—सर्वश्री स्टीलिंग एक्स्पॉर्ट (इंडिया), 10-ए, धनराज इंडस्ट्रियल इस्टेट, मनमिल रोड, लोबर पवेल वेस्ट, बम्बई-13 को जारी किए गए रिहाई आदेश संख्या पी/एम/आर० 131839/48/बी/35-36 दिनांक 4-9-73 को रद्द करना।

का०आ० 887.—सर्वश्री स्टीलिंग एक्स्पॉर्ट (इंडिया), 10-ए, धनराज इंडस्ट्रियल इस्टेट, मनमिल रोड, लोबर पवेल वेस्ट, बम्बई-13 को अप्रैल

मार्च 73 अवधि के लिए निम्नलिखित अनुसार एक रिहाई आदेश जारी किया गया था :—

रिहाई आदेश सं० और दिनांक	विवरण	मूल्य रुपये
पी/एम/आर-131839/48/बी/ 35-36 दिनांक 4-9-1973	1. 5 मि०मी० मोटाई में कम बी०पी० मोट्स /होट तथा कोल्ड रोल्ल्ड	68,645
	2. 1 6 मि०मी० में मोटी जी०पी० शीट्स	

अब उन्होंने उपर्युक्त रिहाई आदेश को रद्द समझे जाने के लिए इस आधार पर आवेदन किया है कि मूल प्रति खो गई है। यह भी उल्लेख किया गया है कि उन्होंने मूल रिहाई आदेश का पूर्ण मूल्य 68645/- रुपये सोमा तक उपयोग नहीं किया गया था।

इस तर्क के समर्थन में आवेदक ने एक मजिस्ट्रेट द्वारा विधिवत् सांख्यिकि स्टाम्प पेपर पर एक जपय पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि मूल रिहाई आदेश खो गया है और निदेश देता हूँ कि इसकी अनुमिति आवेदक को इसके पूर्ण बिना उपयोग किए गए मूल्य के लिए जारी की जानी चाहिए। रिहाई आदेश 68645/- रुपये की पूर्ण अवशेष के लिए रद्द किया जाता है।

[सं० 836/319335/एम०एम०आई०/एन की/एन/ए/एम +73/आई
एंड एम/एन-3]

ए०एल० भल्ला, उप-मुख्य नियंत्रक

ORDER

Bombay the 6th February, 1974

Subject :—Cancellation of Release Order No. P/S/R-131839/48/B/35-36 dt. 4-9-73 issued to M/s. Sterling Export (India), 10-A, Danraj Industrial Estate, Sunmill Road, Lower Parel West, Bombay-13.

S.O. 887.—M/s. Sterling Exports (India), 10-A, Danraj Industrial Estate, Sunmill Road, Lower Parel West, Bombay-13, were issued Release Order for AM. 73 period as under :—

R.O. No. & Date	Description	Value Rs.
P/S/R-131839/48/B/35-36 dated 4-9-1973	1. B.P. Sheets below 5mm thickness/Hot & Cold Rolled	68,645
	2. G.P. Sheets thicker than 1.6mm	

2. They have now requested to treat the above Release Order as cancelled, on the ground that the original copy has been lost. It is further stated that the Original Release Order was not utilized by them to the extent of full value of Rs 68,645.

3. In support of this contention, the applicant has filed an affidavit on a stamped paper duly attested by a Magistrate.

4. I am satisfied that the original Release Order has been lost and direct that duplicate copy of the Release Order for the full unutilized value of Rs. 68,645 should be issued to the applicant. The Release Order is cancelled for the full amount of Rs 68,645.

[No. 836/319335/SSI/NP/N/AM. 73/1&S/L.III]

A. L. BHALLA Dy. Chief Controllor

औद्योगिक विकास मंत्रालय

नई दिल्ली, 14 फरवरी, 1974

का०आ० 888.—केन्द्रीय सरकार, भारतीय मानक संस्थान (प्रमाणन चिह्न) नियम, 1955 के नियम 13 के साथ पठित, भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम, 1952 की धारा 10 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, भारतीय मानक संस्था से परामर्श करके यह निदेश देती है कि उक्त अधिनियम की धारा 3 के खण्ड (50) के अधीन उक्त संस्था द्वारा प्रयोक्तव्य शक्तियां, भारत में विनिर्मित रबर और रबर उत्पादों के सम्बन्ध में, रबर अधिनियम, 1947 (1947 का 24) की धारा 1 के अधीन गठित रबर बोर्ड द्वारा भी प्रयोक्तव्य होंगी।

[फाइल सं० 18(41)/एम० सी० एण्ड पी०/73]

एम० के० सहगल, संयुक्त सचिव

MINISTRY OF INDUSTRIAL DEVELOPMENT

New Delhi, the 14th February, 1974

S.O. 888.—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Standards institution (Certification Marks) Act, 1952 (36 of 1952), read with rule 13 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Central Government, in consultation with the Indian Standards Institution, hereby directs that the powers exercisable by the said Institution under clause (e) of Section 3 of the said Act shall, in relation to rubber and rubber products manufactured in India, be exercisable also by the Rubber Board constituted under Section 4 of the Rubber Act, 1947 (24 of 1947).

[File No. 18(41)/SD&P/73]

S. K. SAHGAL, Jt. Secy.

औद्योगिक विकास, विज्ञान और प्रौद्योगिकी मंत्रालय

(भारतीय मानक संस्था)

नई दिल्ली, 21 मार्च, 1974

क्र० आ० 889— समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिन्ह) विनियम 1955 के विनियम 3 के उपविनियम (2) और (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि नीचे अनुसूची में जिन मानकों के व्योरे दिए गए हैं, 1 अगस्त से 31 अगस्त 1972 की अवधि में निर्धारित किए गए हैं।

अनुसूची

क्रम संख्या	निर्धारित भारतीय मानक की पद संख्या और शीर्षक	नए भारतीय मानक द्वारा रद्द हुए भारतीय मानक की पदसंख्या और शीर्षक	संक्षिप्त विवरण
1	2	3	4
1.	IS: 1200 (भाग 5)—1972 इमारती और मिचिल इंजीनियरी कार्यों के लिए मापन पद्धति भाग 5 तल्ला बंदी (दूसरा पुनरीक्षण)।	IS: 1200-1964 इमारती कार्यों के लिए मापन पद्धति (पुनरीक्षित)	इस मानक में तल्ला बंदी का काम नापने के विषय में पद्धति दी गई है। यह काम अलग से नापा जाता है। (मूल्य रु० 2.50)।
2.	IS: 1200 (भाग 23)—1971 इमारती और मिचिल इंजीनियरी कार्यों के लिए मापन पद्धति भाग 23 पाइल बिठाना (दूसरा पुनरीक्षण)	(1) IS 1200-1964 इमारती कार्यों के लिए मापन पद्धति (पुनरीक्षित) (2) IS 3385 (भाग 1)—1965 पाइल वाली नींव की विधि	इस मानक में इमारती और मिचिल इंजीनियरी कार्यों में पाइल बिठाने के संबंध में मापन पद्धति दी गई है। यह मानक लागत-अनुमान और राशि सूत्रियां तैयार करने तथा मीके पर नाप के भी काम आता है। (मूल्य रु० 3.50)
3.	* IS: 1221-1971 रजकों से बनी फाउंट-टेनपेन की स्याहियों की विधि (दूसरा पुनरीक्षण)	IS: 1221-1957 रजकों से बनी फाउंट-टेनपेन की स्याहियों (नीली, हरी, बैजनी, काली और लाल) की विधि	इस मानक में रजकों से बनी फाउंट-टेनपेन की विभिन्न रंगों की स्याहियों के विषय में अपेक्षाएं और बानगी लेने तथा परीक्षण की पद्धतियां दी गई हैं। (मूल्य रु० 4.00)
4.	IS: 1331-1971 इमारती लकड़ी के कटे टुकड़ों की विधि (दूसरा पुनरीक्षण)	(1) IS: 1331-1966 इमारती लकड़ी के कटे टुकड़ों की विधि (2) IS: 1629-1960 इमारती लकड़ी के कटे टुकड़ों के ग्रेड निर्धारण के नियम	इस मानक में संरचनात्मक और अन्य कार्यों में प्रयुक्त लकड़ी के गोदाओं में पड़ी कटी हुई इमारती लकड़ी के विषय में विधि दी गई है। (मूल्य रु० 4.00)
5.	IS: 1660 (भाग-3)—1972 पिटवीं गुल्म नियम के वर्तनों की विधि भाग 3 पेटी सेकने के पैन	---	इस मानक में पेटी सेकने वाले पैन के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
6.	** IS: 1830-1971 मिलिंग कटरों की स्प्लार्ड संबंधी तकनीकी शर्तें (पहला पुनरीक्षण)	IS: 1830-1961 मिलिंग कटरों के विषय में सामान्य अपेक्षाएं	इस मानक में मिलिंग कटरों से संबंधित शब्दावली, सामग्री तथा अन्य अपेक्षाएं दी गई हैं। इसमें औजार योग्य समुचित मिल कटर के चुनाव से संबंधित निफारिशें दी गई हैं। (मूल्य रु० 5.00)
7.	IS: 1885 (भाग-32)—1971 विद्युत् तकनीकी शब्दावली भाग 32 बिजली की स्प्लार्ड के लिए केबल, चालक और सहायक अंग	IS: 1591-1960 केबल, चालक और सहायक अंगों से संबंधित शब्दावली	इस मानक में बिजली के केबलों, चालकों और सहायक अंगों से संबंधित भारतीय मानकों में प्रयुक्त शब्दावली और परिभाषाएं दी गई हैं। (मूल्य रु० 5.00)
8.	IS: 1885 (भाग 33)—1972 विद्युत् तकनीकी शब्दावली भाग 33 दाख विद्युत् फिल्टर	---	इस मानक में दाख विद्युत् फिल्टरों में प्रयुक्त शब्द और उनकी परिभाषाएं दी गई हैं। (मूल्य रु० 2.50)
9.	IS: 2171-1972 सूखे पाउडर वाले सुवाह्य अग्नि शामकों की विधि (पहला पुनरीक्षण)	IS: 2171-1962 सूखे पाउडर वाले सुवाह्य अग्नि शामक की विधि	इस मानक में सूखे पाउडर वाले सुवाह्य अग्नि शामक के शामकों में लगने वाली सामग्री, आकृति निर्माण, सूखे पाउडर के संबंध में अपेक्षाएं और परीक्षण पद्धतियां दी गई हैं। (मूल्य रु० 5.00)

*आ० मा० संस्था प्रमाणन योजना के लिए IS: 1221-1971, 1 सितम्बर 1972 से लागू हो गया।

**आ० मा० संस्था प्रमाणन योजना के लिए IS: 1830-1971, 1 दिसम्बर 1972 से लागू हो गया।

1	2	3	4
10. IS : 2198-1971 वैमानिकी कार्यों के लिए सन की जाली की विशिष्टि (पहला पुनरीक्षण)	IS : 2198-1962 वायुयान की बचाव पेटियाँ और बखियों के लिए सन की जाली की विशिष्टि	इस मानक में सुरक्षा और पैराग्लूट की बखियों में प्रयुक्त सन की जाली के विषय में निर्माण संबंधी ध्यौरे तथा अन्य अपेक्षाएँ निर्धारित की गई हैं। (मूल्य रु० 3.50)	
11. IS : 2501-1972 सामान्य इंजीनियरी कार्यों के लिए तांबे की तलियों की विशिष्टि (पहला पुनरीक्षण)	IS : 2501-1963 सामान्य इंजीनियरी कार्यों के लिए तांबे की तलियों की विशिष्टि	इस मानक में सामान्य इंजीनियरी कार्यों में काम आने वाली ठोस खिचो हुई तांबे की तलियों के विषय में अपेक्षाएँ दी गई हैं। (मूल्य रु० 2.50)	
12. * IS : 2669-1971 समान्तर शंक वाले बुडरफ कुंजीखांच वाले मिलिंग कटरों की विशिष्टि (पहला पुनरीक्षण)	IS : 2669-1964 बुडरफ कुंजीखांच वाले मिलिंग कटरों की विशिष्टि	इस मानक में समान्तर शंक वाले बुडरफ कुंजीखांच वाले मिलिंग कटरों के विषय में माप तथा अन्य अपेक्षाएँ दी गई हैं। ये मिलिंग कटर : 2294-1963 बुडरफ कुंजीखांच के अनुरूप कुंजीखांच बनाने के लिए प्रयुक्त होते हैं। (मूल्य रु० 3.00)	
13. IS : 2720 (भाग 13)-1972 मृत्तिकाओं की परीक्षण पद्धतियों भाग 13 प्रत्यक्ष कर्तन परीक्षण (पहला पुनरीक्षण)	IS : 2720 (भाग 13) 1965 मृत्तिकाओं की परीक्षण पद्धतियों भाग 13 प्रत्यक्ष कर्तन परीक्षण	इस मानक में भीघे दबाव डालकर मृत्तिकाओं के फटने की सामर्थ्य जिसमें बड़ी से बड़ी रमी 4 75 मिमी हो, दी गई है। (मूल्य रु० 4.00)	
14. **IS : 3715 भाग 1-1971 एकदिश चालक साधनों के लिए अक्षर प्रतीक, भाग 1 सामान्य पक्ष (पहला पुनरीक्षण)	---	इस मानक में एकदिश चालक साधनों (समेकित सर्किटों सहित) पर काम आने वाले अक्षर प्रतीक तैयार करने के सामान्य पक्ष और नियम दिए गए हैं। (मूल्य रु० 6.50)	
15. IS : 4839 (भाग 2) 1971 नहरों के रख-रखाव की रीति संहिता भाग 2 पक्की नहर	---	इस मानक में पक्की नहरों के रख-रखाव और मरम्मत संबंधी अपेक्षाएँ दी गई हैं। (मूल्य रु० 2.00)	
16. IS : 6182-1971 दांत संबंधी केबल धर्म के माप	---	इस मानक में केबल धर्म में सहायक अनिवार्य माप दिए गए हैं। (मूल्य रु० 3.00)	
17. IS : 6183-1971 दांत संबंधी सेक्शन धर्म के माप	---	इस मानक में दांत संबंधी सेक्शन धर्म के अनिवार्य माप दिए गए हैं। (मूल्य रु० 3.00)	
18. IS : 6213 (भाग 4) 1971 लुगदी की परीक्षण पद्धतियों भाग 4 लुगदी की बिस्कोमिना ज्ञात करना	---	इस मानक में लुगदी की बिस्कोमिता ताम्रग्रसोन्धन और ताम्र इथाईलीनडायामीन घोलों में ज्ञात करने की परीक्षण पद्धतियाँ निर्धारित की गई हैं। (मूल्य रु० 5.00)	
19. IS : 6318-1971 खिड़कियों में लगने वाले प्लास्टिक के रोक और कुडियाँ आदि की विशिष्टि	---	इस मानक में खिड़कियों में लगने वाले पालीप्रोपाइलीन के बने हुए रोक और ताइलान की बनी कुडियाँ आदि की कार्यप्रदता संबंधी अपेक्षाएँ दी गई हैं। (मूल्य रु० 3.50)	
20. IS : 6341-1971 साधारण सड़न के विरुद्ध लकड़ी के परिरक्षकों की प्रभावशीलता ज्ञात करने के लिए प्रयोगशाला पद्धति	---	इस मानक में प्रयोगशाला में साधारण सड़न के विरुद्ध लकड़ी के परिरक्षक रसायनों का सापेक्षिक फगननाशी मान ज्ञात करने की परीक्षण पद्धतियाँ दी गई हैं। (मूल्य रु० 2.50)	

* भा० मा० संस्था प्रमाणिकृत योजना के लिए IS : 2669-1971, 1 दिसम्बर 1972 से लागू हो गया।

** IS : 3715 आर भागों में तैयार हो रहा है। इस प्रकार इन भागों के प्रकाशन के बाद IS : 3715-1966 निरस्त मान लिया जाएगा।

1	2	3	4
21.	IS : 6342-1971 कटे हुए परत बनाने के लिए रोजबूड की टुकड़ों की विशिष्टि	—	इस मानक में रोजबूड के कटे हुए परत तैयार करने के लिए रोजबूड के टुकड़ों के विषय में न्यूनतम अपेक्षाएं दी गई हैं। (मूल्य रु० 2.50)
22.	IS : 6346-1971 खानों में खगने वाली लकड़ी की धूलियों की परीक्षण पद्धति	—	इस मानक में खानों में काम आने के लिए लकड़ी की उपयोगिता ज्ञात करने के विषय में भौतिक और यांत्रिक परीक्षण पद्धति बताई गई है। (मूल्य रु० 5.00)
23.	*IS : 6352-1971 समानान्तर शीको वाले खांचे काटने के मिलिंग कटरों की विशिष्टि	—	इस मानक में समानान्तर शीको वाले खांचे काटने के मिलिंग कटरों के विषय में माप और अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
24.	*IS : 6353-1971 समानान्तर शीको वाले गिरे काटने के मिल की विशिष्टि	—	इस मानक में समानान्तर शीको वाले गिरे काटने के मिल के विषय में माप और अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
25.	IS : 6354-1971 मोर्सगावदुस शीक वाले गिरे काटने के मिल की विशिष्टि	—	इस मानक में मोर्सगावदुस शीक वाले गिरे काटने के मिल के विषय में माप तथा अपेक्षाएं दी गई हैं।
26.	IS : 6374-1971 पडभुजी बाक्स-नुमा रिबों (पानों) की विशिष्टि	—	इस मानक में बाक्सनुमा रिबों (पानों) की माप और अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
27.	IS : 6366-1971 फाउंड्रियों में काम आने वाले स्प्रू प्लग की विशिष्टि	—	इस मानक में फाउंड्रियों में काम आने वाले स्प्रू प्लगों के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
28.	*IS : 6377-1971 फाउंड्रियों में काम आने वाली मोंगरियों की विशिष्टि	—	इस मानक में फाउंड्रियों में काम आने वाली मोंगरियों के विषय में अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
29.	IS : 6388-1971 मोर्स गावदुस शीक वाले मिलिंग खांचे काटने के मिलिंग कटर की विशिष्टि	—	इस मानक में गावदुस शीक वाले खांचे काटने के मिलिंग कटरों के विषय में माप और अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
30.	IS : 6419-1971 मरचना इस्पातों की गैस रक्षित आर्क वेल्डिंग में प्रयुक्त वैल्डिंग छड़ों और छुले इलेक्ट्रोडों की विशिष्टि	IS : 2680-1964 अश्रिय गैस टरसट आर्क वेल्डिंग के लिए प्रयुक्त पूरक छड़ और तार की विशिष्टि	इस मानक में अश्रिय गैस टरसट आर्क वेल्डिंग (टी०आई०जी०), गैस मैटल आर्क वेल्डिंग (एमआईजी) अथवा वैल्डिंग विधियों द्वारा मरचना इस्पातों की वेल्डिंग के लिए प्रयुक्त टोम पूरक छड़ों और तारों के विषय में अपेक्षाएं निर्धारित की गई हैं। मानक में पूरक छड़ों और तारों के रसायनिक संघटन भी दिए गए हैं। (मूल्य रु० 4.00)
31.	IS : 6420-1972 आंख के अश्रुकोष सम्बन्धी रिट्रेक्टर (सुवर पैटर्न) की विशिष्टि	—	इस मानक में आंख की सर्जरी में काम आने वाली अश्रुकोष रिट्रेक्टर के विषय में माप सम्बन्धी तथा अन्य अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
32.	IS : 6427-1972 पाइल टोकने के उपकरण सम्बन्धी शब्दावली	—	इस शब्दावली में पाइल टोकने के उपकरणों और टोकने की विधियों से सम्बन्धित तकनीकी शब्द तथा परिभाषाएं दी गई हैं। (मूल्य रु० 2.50)
33.	IS : 6428-1972 पाइल के ढांचे की विशिष्टि	—	इस मानक में पाइल ढांचे की ऊँचाई और ढांचे के लिए सुगमता पूर्वक वाह्य पाइल के माप तथा इथोडे के न्यूनतम बजत निर्धारित किए गए हैं। (मूल्य रु० 1.50)

*भा० मा० संस्था प्रमाणन चिन्ह योजना कार्यों के लिए IS : 638-1971, 1 दिसम्बर 1972 से लागू हो गए।

IS : 6352-1971, IS : 6353-1971, IS : 6354-1971 और

1	2	3	4
34. IS : 6433-1972	गनार्डटीकारी उपकरण की विनिर्दिष्ट	—	इस मानक में कंटीट के गनार्डटीकारी उपकरण का आकार, माप और कार्यप्रदान सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 2.50)
35. IS : 6435-1971	कंडरा स्ट्रुपर्स की विनिर्दिष्ट	—	इस मानक में सर्जरी में काम आने वाली कंडरा स्ट्रुपर्स के विषय में माप तथा अन्य अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
36. IS : 6464-1972	ट्यूनिंग फोर्क (गार्डिनर आउट पैटर्न) की विनिर्दिष्ट	—	इस मानक में निदान उपकरणों के रूप में सर्जनों द्वारा काम में आने वाले ट्यूनिंग फोर्क (गार्डिनर आउट पैटर्न) के विषय में माप सम्बन्धी तथा अन्य अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
37. IS : 6469-1972	हारपून ट्रोंकर (टिस्ले पैटर्न) की विनिर्दिष्ट	—	इस मानक में ई०एन०टी० सर्जनों द्वारा कौटर सर्जरी में जीवार तोड़ने के काम आने वाले टिस्ले पैटर्न के हारपून ट्रोंकर के विषय में माप सम्बन्धी तथा अन्य अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
38. IS : 6470-1972	पोलिटिजरीकरण उपकरण (प्रिचर्ड पैटर्न) की विनिर्दिष्ट	—	इस मानक में ई०एन०टी० सर्जनों द्वारा प्रयुक्त प्रिचर्ड तम्बू के पोलिटिजरीकरण उपकरण के विषय में माप और कार्यप्रदान सम्बन्धी अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
39. IS : 6485-1972	विकलांगता संबंधी कोणीय गौज फोर्स के विनिर्दिष्ट	—	इस मानक में विकलांगता सर्जरी में काम आने वाले कोणीय प्रकार के गौज फोर्स के विषय में माप तथा अन्य अपेक्षाएं दी गई हैं। (मूल्य रु० 3.00)
40. IS : 6489-1972	निवाड़ के साज-सामान के लिए सूती निवाड़ पट्टी की विनिर्दिष्ट	—	इस मानक में सतृप्तों के काम आने वाले निवाड़ के बने विभिन्न प्रकार के साज सामान के बनाने में काम आने वाली अनेक प्रकार की सूती निवाड़ की पट्टियों के विषय में अपेक्षाएं निर्धारित की गई हैं। यह निवाड़ पीठ पर लाने के झोले, रसोई के बर्तन, जलमट्ट टोप, पहनने के चूने, तक्षणों के केम, होलडाल, स्ट्रेचर के झोले इत्यादि बनाने में काम आती है। (मूल्य रु० 3.50)
41. IS : 6534-1971	हमारी लकड़ी के ग्रेड निर्धारण तथा निरीक्षण की विनिर्दिष्ट	—	इस मानक में हमारी लकड़ी अथवा उसकी बनी वस्तुओं के ग्रेड निर्धारण की विनिर्दिष्टा तैयार करने समय अथवा मैदान में इनके ग्रेड निर्धारण के लिए प्रयुक्त सामान्य सिद्धांत दिए गए हैं। इसमें हमारी लकड़ी का निरीक्षण तथा इसमें ग्रेड निर्धारण सम्बन्धी अन्य बातें भी बताई गई हैं। (मूल्य रु० 3.50)

इस भारतीय मानकों की प्रतियां, भारतीय मानक समिती, 9-बहादुरशाह जफर मार्ग, नई दिल्ली और उसके शाखा कार्यालयों (1) माधना नगर मोहम्मद शेख मार्ग, खानपुर, अहमदाबाद-1 (2) 'एफ' ब्लॉक युनिटी बिल्डिंग नरसिंहराज स्वभायर, बंगलौर-2 (3) तावेल्टी चैम्बर, ग्रांट रोड, बम्बई-7, (4) 5 चौरंगी एप्रोच, कलकत्ता-13 (5) 5-9-20 1/2-ए (पहली मंजिल) चिरागअली नेत, हैदराबाद-1. (6) 117/418 वी सर्वोदय नगर, कानपुर-5 और (7) 54 जनरल पैटर्स रोड, मद्रास-2 से प्राप्त की जा सकती है।

[सं सी०एस०ई०/13:2]

डी० वाम गुप्ता, उप महानिदेशक।

MINISTRY OF DEVELOPMENT, SCIENCES AND TECHNOLOGY

Indian Standards Institution

New Delhi, the 21st March, 1974

S.O. 889—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are mentioned in the Scheduled given hereafter, have been established during the period 1st August to 31st August, 1972.

SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1.	IS : 1200 (Part V)—1972 Method of measurement of building and civil engineering works Part V Formwork (Second Revision)	IS : 1200—1964 Method of measurement of building works. (revised)	This standard covers the method of measurement of formwork, where it is required to be measured separately. (Price Rs. 2.50)
2.	IS : 1200 (Part XXIII)—1971 Method of measurement of building and civil engineering works Part XXIII Piling. (Second Revision)	(i) IS : 1200—1964 Method of measurement of building works. (revised) (ii) IS : 3385 (Part I)—1965 Specification for pile foundations.	This standard covers the method of measurement of piling in building and civil engineering works and applies to the preparation of estimates and bills of quantities and site measurements. (Price Rs. 3.50)
3.	*IS : 1221—1971 Specification for dye based fountain pen inks. (First Revision)	IS : 1221—1957 Specification for dye based fountain pen ink (blue, green, violet, black and red).	This standard prescribes the requirements and the methods of sampling and tests for dye based fountain pen inks. (Price Rs. 4.00)
4.	IS : 1331—1971 Specification for cut sizes of timber. (Second Revision)	(i) IS : 1331—1966 Specification for cut sizes of timber. (ii) IS : 1629—1960 Rules for grading of cut sizes of timber.	The standard covers specification of converted timber normally stocked in timber depot both for structural and non-structural purposes. (Price Rs. 4.00)
5.	IS : 1660 (Part III)—1972 Specification for wrought aluminium utensils Part III Pans Patty (Jelly Mould) for baking.	—	This standard covers requirements for pans patty (jelly mould) for baking. (Price Rs. 3.00).
6.	**IS : 1830—1971 Technical supply conditions for milling cutters. (First Revision)	IS : 1830—1961 General requirements for milling cutters.	This standard covers terminology, material and other requirements for milling cutters. Also gives recommendation for selection of proper 'tool type'. (Price Rs. 5.50)
7.	IS : 1885 (Part XXXII)—1971 Electro-technical vocabulary Part XXXII cables, conductors and accessories for electricity supply.	IS : 1591—1960 Glossary of terms for cables, conductors and accessories.	This standard defines the terms used in Indian Standards relating to electrical cables, conductors and accessories. (Price Rs. 5.00)
8.	IS : 1885 (Part XXXIII)—1972 Electro-technical vocabulary Part XXXIII Piezo-electric filters.	—	This standard covers the definitions of terms applicable to piezo-electric filters. (Price Rs. 2.50)
9.	IS : 2171—1972 Specification for portable fire extinguishers, dry powder type. (First Revision)	IS : 2171—1962 Specification for portable fire extinguishers, dry powder type.	This standard lays down requirements regarding material, shape, construction, dry powder and tests of portable fire extinguishers of dry powder type. (Price Rs. 5.00)
10.	IS : 2198—1971 Specification for flax webbing for aeronautical purposes. (First Revision)	IS : 2198—1962 Specification for flax webbing for aircraft safety belts and harnesses.	This standard prescribes constructional particulars and other details of flax webbing for safety and parachute harnesses. (Price Rs. 3.50)
11.	IS : 2501—1972 Specification for copper tubes for general engineering purposes. (First Revision)	IS : 2501—1963 Specification for copper tubes for general engineering purposes.	This standard prescribes the requirements for solid drawn copper tubes for general engineering purposes. (Price Rs. 2.50)
12.	†IS : 2669—1971 Specification for woodruff keyslot milling cutters with parallel shank. (First Revision)	IS : 2669—1964 Specification for milling cutters for woodruff keyslots.	This standard lays down dimension and requirements for woodruff keyslot milling cutters with parallel shanks suitable for keyslots conforming to IS : 2294—1963 Woodruff keys and keyslots. (Price Rs. 3.00)

* For purposes of ISI Certification Marks Scheme, IS : 1221—1971 shall come into force with effect from 1st September, 1972.

** For purposes of ISI Certification Marks Scheme, IS : 1830—1971 shall come into force with effect from 1st December, 1973.

† For purposes of ISI Certification Marks Scheme, IS : 2669—1971 shall come into force with effect from 1st December, 1972.

(1)	(2)	(3)	(4)
13. IS : 2720 (Part XIII)—1972 Methods of test for soils Part XIII Direct shear test. (First Revision)	IS : 2720 (Part XIII)—1965 Methods of test for soils Part XIII Direct shear test.	—	This standard covers the method for the determination by direct shear, the shear strength of soils with a maximum particle size by 4.75 mm. (Price Rs. 4.00)
14. *IS : 3715 (Part I)—1971 Letter symbols for semiconductor devices Part I General aspects. (First Revision)	—	—	This standard covers general aspects and rules for devising letter symbols to be used for semiconductor devices (including integrated circuits). (Price Rs. 6.50)
15. IS : 4839 (Part II)—1971 Code of Practice for maintenance of canals Part II lined canals.	—	—	This standard covers the maintenance and repair of lined canals. (Price Rs. 2.00)
16. IS : 6182—1971 Dimensions for dental cable arm.	—	—	This standard covers essential dimensions of the cable arm. (Price Rs. 3.00)
17. IS : 6183—1971 Dimensions for dental section arm.	—	—	This standard covers essential dimensions of the dental section arm. (Price Rs. 3.00)
18. IS : 6213 (Part IV)—1971 Methods of test for pulp Part IV. Determination of viscosity of pulp.	—	—	This standard prescribes the methods of test for determination of viscosity of pulp in cuprammonium and cupriethylenediamine solution. (Price Rs. 5.00)
19. IS : 6318—1971 Specification for plastic window stays and fasteners	—	—	This standard lays down performance and functional requirements of window stays made out of polypropylene and fasteners (handles) made out of nylon. (Price Rs. 3.50)
20. IS:6341—1971 Method of laboratory test for efficacy of wood preservatives against soft rot	—	—	This standard covers the method for determining the relative fungicidal value of wood preservatives against soft rot in the laboratory : (Price Rs. 2.50)
21. IS:6342—1971 Specification for rose wood logs for production of sliced veneers	—	—	This standard covers the minimum requirements for logs of rosewood (<i>Dalbergia latifolia</i> Roxb) for production of sliced rosewood veneers. (Price Rs. 2.50)
22. IS:6346—1971 Method of tests for timber props for mines	—	—	This standard covers the method of physical and mechanical tests required for determining suitability of timber meant for use in mines (Price Rs. 5.00)
23. **IS:6352—1971 Specification for slot milling cutters with parallel shanks	—	—	This standard lays down dimensions and requirements for slot milling cutters with parallel shanks. (Price Rs. 3.00)
24. **IS:6353—1971 Specification for end mills with parallel shanks	—	—	This standard lays down dimensions and requirements for end mills with parallel shanks. (Price Rs. 3.00)
25. **IS:6354—1971 Specification for end mills with morse taper shanks	—	—	This standard lays down dimensions and requirements for end mills with morse taper shanks. (Price Rs. 3.00)
26. IS:6374—1971 Specification for hexagonal box wrenches (Spanners)	—	—	This standard lays down dimensions and requirements for hexagonal box wrenches (Spanners) (Price Rs. 3.00)
27. IS:6366—1971 Specification for sprue plugs for use in foundries	—	—	This standard covers requirements for sprue plugs for use in foundries (Price Rs. 3.00)
28. IS:6377—1971 Specification for mallets for use in foundries	—	—	This standard covers the requirements for mallets for use in foundries (Price Rs. 3.00)
29. **IS:6388—1971 Specification for slot milling cutters with morse taper shanks	—	—	This standard lays down dimensions and requirements for slot milling cutters with taper shanks (Price Rs. 3.00)

* IS : 3715 is being issued in four parts, as such IS : 3715—1966 shall be deemed to have been withdrawn after issue of all the parts.

** For purposes of ISI Certification Marks Scheme, IS : 6352—1971, IS : 6353—1971, IS : 6354—1971 and IS : 6388—1971 shall come into force with effect from 1st December, 1973.

(1)	(2)	(3)	(4)
30. IS:6419—1971 Specification for welding rods and bare electrodes for gas shielded arc welding of structural steels	IS:2680—1964 Specification for filler rods and wires for inert gas tungsten arc welding	—	This standard prescribes the requirements of solid filler rods and wires for welding structural steels by inert gas tungsten arc welding (TIG), gas metal arc, welding (MIG) or CO ₂ welding processes. The chemical composition of filler rods and wires is also specified (Price Rs. 4.00)
31. IS:6420—1972 Specification for retractor, eye lachrymal sac (Muller's pattern)	—	—	This standard specifies dimensional and other requirements for lachrymal sac retractor used in eye surgery (Price Rs. 3.00)
32. IS:6427—1972 Glossary of terms relating to pile driving equipment	—	—	This glossary covers definitions of terms relating to pile driving equipment and pile driving operations (Price Rs. 2.50)
33. IS:6428—1972 Specification for pile frame	—	—	This standard specifies heights of pile frame and the minimum weight of hammer and the pile that the frame shall be able to take safely. (Price Rs. 1.50)
34. IS:6433—1972 Specification for guniting equipment	—	—	This standard lays down the requirements for sizes, dimensions and performance of concrete guniting equipment (Price Rs. 2.50)
35. IS:6435—1971 Specification for strippers, tendon	—	—	This standard specifies dimensional and other requirements of tendon strippers used in surgery (Price Rs. 3.00)
36. IS:6464—1972 Specification for tuning forks (Gardiner Brown's Pattern)	—	—	This standard specifies dimensional and other requirements of set of tuning forks (Gardiner Brown's pattern) used by surgeons as diagnostic equipment (Price Rs. 3.00)
37. IS:6469—1972 Specification for harpoons trocar (Tilley's pattern)	—	—	This standard specifies dimensional and other requirements of Tilley's harpoon a trocar used ENT surgeons for breaking down wall in antrum surgery (Price Rs. 3.00)
38. IS:6470—1972 Specification for politzerization apparatus (Pritchard's pattern)	—	—	This standard specifies dimensional and performance requirements of Pritchard's politzerization apparatus used by ENT surgeons (Price Rs. 3.00)
39. IS:6485—1972 Specification for forceps, gouge angular, orthopaedic	—	—	This standard lays down the dimensions and other requirements for gouge forceps, angular type used in orthopaedic surgery (Price Rs. 3.00)
40. IS:6488—1972 Specification for cotton webbing for personal web equipment	—	—	This standard prescribes requirements of various types of cotton webbings used in the manufacture of various types of personal web equipment, carrier manpack, cooking utensils, waterproof capes, snow shoes, map cases, holdalls, stretcher bags, etc. (Price Rs. 3.50)
41. IS:6534—1971 Guiding principles for grading and inspection of timber	—	—	This standard covers the general principles to be followed when preparing specifications on grading timber and timber products actually grading such material in the field and also covers rules for inspection and other matters related to such grading (Price Rs. 3.50)

Copies of these Indian Standards are available for sale with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) 'Sadhana' Nurmohamed Shaikh Marg, Ahmedabad, (ii) F Block, Unity Bldg, Narimharaja Square, Bangalore 2, (iii) Novelty Chambers, Grant Road, Bombay-7, (iv) 5 Chowringhee Approach Calcutta-13, (v) 5-9-201/2-A (First Floor), Chirag Ali Lane, Hyderabad-1, (vi) 117/418 B Sarvodaya Nagar, Kanpur 5 and (vii) 54 General Patters Road, Madras-2

[No. CMD/13:2]

D. DAS GUPTA, Deputy Director General

पेट्रोलियम और रसायन मंत्रालय
(पेट्रोलियम विभाग)

नई दिल्ली, 21 फरवरी, 1974

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum)

New Delhi, the 21st February, 1974

क्र० आ० 890 :—यतः पेट्रोलियम, पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन तथा खान और धातु मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 2026 तारीख 6-7-1973 द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार का रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुये केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में सभी बंधकों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निश्चित होगा।

अनुसूची

सानन्द 14 से एम० आई० पी के निकट जी० जी० एम० तक पाइप लाइन बिछाने के लिये

राज्य: गुजरात	जिला: महसना	तालुका: कडि/कैलास			
गांव	सर्वेक्षण संख्या	हेक्टर	ए० आर पी० ए०	ई०	आर ई०
थोल	1423	0	07	93	
काजीपुर	615/1/बी०	0	06	59	
	615/1 ए०	0	16	59	
	कार्ट ट्रैक	0	00	85	
शलाक न०					
भीमासन	17	0	22	57	
	15	0	01	22	
	18	0	07	44	
	22	0	03	42	
	23	0	14	64	
	26	0	05	73	
	29	0	06	71	
	कार्ट ट्रैक	0	00	50	
	31	0	13	55	
	32	0	04	51	
	44	0	17	21	
	48	0	10	86	
	46	0	01	95	

[सं० 11/4/72-एम० एंड एल०]

बी० आर० भल्ला, यवर सचिव

S. O. 890.—WHEREAS by a notification of the Govt. of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S.O.No. 2026 dated 6-7-73 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

AND WHEREAS the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

AND FURTHER WHEREAS the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

NOW THEREFORE in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

AND FURTHER in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

For Pipeline from Sanand-14 to G.G.S. Near S.I.P.

State: Gujarat	Dist :Mehsana	Taluka : Kadi/Kalo			
Village	Survey No.	Hectare	Are	P.Aic	
THOL	1423	0	07	93	
KAJIPUR	615/1/B	0	06	59	
	615/1A	0	16	59	
	Cart Track	0	00	85	
BLOCK No					
BHIMASAN	17	0	22	57	
	15	0	01	22	
	18	0	07	44	
	22	0	03	42	
	23	0	14	64	
	26	0	05	73	
	29	0	06	71	
	Cart Track	0	00	50	
	31	0	13	55	
	32	0	04	51	
	44	0	17	21	
	48	0	10	86	
	46	0	01	95	

[No.11/4/72-L&L]

B.R.BHALLA,
Under secretary,

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 23 मार्च, 1974

क्र० आ० 891.—भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ख) के उपबन्धों का अनुसरण करते हुए डा० जयन्त भगवान दाम हरिभक्ति के स्थान पर जो उक्त अधिनियम की धारा 7 की उपधारा (3) के अधीन अब इस परिषद् के सदस्य नहीं रहे, डा० रमिक भार्गव मुल्की भार्गव चौकी एम०बी० बी०एम०, एम०एस०, डीन, फेकल्टी ऑफ मेडिसिन गुजरात विश्वविद्यालय

41 सरदार पटेल नगर, ईल्लिसब्रिज को 21 फरवरी, 1974 में भारतीय चिकित्सा परिषद् का सदस्य निर्वाचित किया गया है।

अब अतः उक्त अधिनियम की धारा 3 की उपधारा (1) के उपबन्धों का अनुसरण करते हुए केन्द्रीय सरकार एन.द्वारा भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-वि० 1 में आगे और निम्नलिखित संशोधन करती है;

उक्त अधिसूचना में धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित शीर्ष के अधीन क्रम संख्या 11 के समक्ष उल्लिखित प्रविष्टि के लिये निम्नलिखित प्रविष्टि रखी जाय;

“डा० रासिक भाई मुल्जीभाई चोक्सी, एम०बी०बी०एम०, एम०एम० डीन, फैकल्टी ऑफ मेडिसिन गुजरात विश्वविद्यालय, 41 सरदार पटेल नगर, ईल्लिसब्रिज, अहमदाबाद।”

[सं० बी० 11013/1/74 एम०पी०टी०]

कुमारी सती बालकृष्णा, अवर सचिव

MINISTRY OF HEALTH & FAMILY PLANNING (Department of Health)

New Delhi, the 23rd March, 1974

S.O. 891.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. Rasikbhai Muljibhai Choksi, MBBS, MS, Dean, Faculty of Medicine, Gujarat University, 41 Sardar Patel Nagar, Ellisbridge, Ahmedabad-6, has been elected by the Gujarat University to be a member of the Medical Council of India with effect from the 21st February, 1974 vice Dr. Jayant Bhagandas Haribhakti who has ceased to be a member of the Council under sub-section (3) of section 7 of the said Act;

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3”, for the entry against serial No. 11, the following entry shall be substituted, namely :—

“Dr. Rasikbhai Muljibhai Choksi, MBBS, MS Dean, Faculty of Medicine, Gujarat University, 41, Sardar Patel Nagar, Ellisbridge, Ahmedabad-6.”

[No. 11013/1/74-MPT]

KM. SATHI BALAKRISHNA, Under Secy.

कृषि मंत्रालय (कृषि विभाग)

नई दिल्ली, 11 मार्च, 1974

का०आ० 892.—राष्ट्रपति, मूल नियमों के नियम 15 के उपबन्ध के अनुसरण में, भारत सरकार के वित्त विभाग के पत्र सं० 104-सी० एम० आर०, तारीख 4 फरवरी, 1972 के साथ जारी किए गए अनुपूरक नियमों में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं।

अनुपूरक नियमों के भाग 8 के अंत में निम्नलिखित खंड अंतः स्थापित किया जाएगा, अर्थात् :—

“खंड 26—क ठ

संक्षिप्त नाम और प्रारंभ — अनु० नि० 317-कठ-111 :

(1) इन नियमों का संक्षिप्त नाम वन अनुसंधान संस्थान और महाविद्यालय, देहरादून, वन अनुसंधान प्रयोगशाला, बंगलौर, दक्षिणी वन

राजिक महाविद्यालय और वन अनुसंधान केन्द्र, कोयम्बतूर में सरकारी आवासों का आबंटन (राजपत्रित और भराजपत्रित सरकारी नेवकों के लिये पूल वास-मुविधा) नियम, 1974 है।

(2) ये नियम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

परिभाषाएं — अनु० नि० 317-कठ/2/:

इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो

(क) “आबंटन” से इन नियमों के उपबंधों के अनुसार आवास का दखल करने के लिए अनुज्ञप्ति का देना अभिप्रेत है।

(ख) “आबंटन वर्ष” से एक जनवरी को प्रारंभ होने वाला वर्ष या ऐसी अन्य अवधि जो संपदा अधिकारी द्वारा अधिसूचित की जाए, अभिप्रेत है।

(ग) “देहरादून”, “बंगलौर” और “कोयम्बतूर” से क्रमशः नई वन संपदा, देहरादून, वन अनुसंधान प्रयोगशाला बंगलौर का निवेश और दक्षिणी वन राजिक महाविद्यालय और वन अनुसंधान केन्द्र, कोयम्बतूर अभिप्रेत है;

(घ) “पात्र पद” से वन अनुसंधान संस्थान और महाविद्यालय, देहरादून या वन अनुसंधान प्रयोगशाला, बंगलौर, या दक्षिणी वन राजिक महाविद्यालय और वन अनुसंधान केन्द्र, कोयम्बतूर के नियमित स्टाफ पर धारित वह पद अभिप्रेत है जो केन्द्रीय सरकार द्वारा इन नियमों के अधीन वास-मुविधा के लिए पात्र घोषित किया गया हो;

(ङ) “उपलब्धियों” से मूल नियम 45-ग में यथा परिभाषित उपलब्धियां अभिप्रेत हैं, किन्तु उसमें प्रतिकरात्मक भत्ता नहीं आता;

स्पष्टीकरण :—ऐसे अधिकारी की दशा में, जो निलंबनाधीन है, उस आबंटन वर्ष के प्रथम दिन को जिस वर्ष को वह निलंबित किया जाता है, उस द्वारा प्राप्त की गई उपलब्धियों या यदि वह आबंटन वर्ष के प्रथम दिन को निलंबित किया जाता है, तो उस तारीख से ठीक पूर्व उस द्वारा प्राप्त की गई उपलब्धियों को उपलब्धियों के रूप में लिया जायेगा;

(च) “संपदा अधिकारी” से—

(1) देहरादून के संबंध में, रजिस्ट्रार, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून,

(2) बंगलौर के संबंध में, अध्यक्ष, उपयोग अनुसंधान, वन अनुसंधान प्रयोगशाला, बंगलौर, और

(3) कोयम्बतूर के संबंध में, प्रिंसिपल, दक्षिणी वन राजिक महाविद्यालय, कोयम्बतूर,

अभिप्रेत है;

(ड) “कुटुम्ब” से यथास्थिति, पत्नी या पति और बच्चे, सीतेले बच्चे, वैध रूप से दत्तक बच्चे, माता-पिता, भाई या बहनें जो सामान्यतः अधिकारी के साथ रहते हैं और उस पर आश्रित हैं, अभिप्रेत हैं;

(ज) “सरकार” से केन्द्रीय सरकार अभिप्रेत है;

(झ) विर्मा अधिकारी की “पूर्विका की तारीख”, ऐसे आवास के संबंध में जिसके लिये वह अनु० नि० 317-कठ 4 के उपबन्ध के अधीन हकदार है, से छुट्टी की अवधि के सिवाए, वह पूर्वतन तारीख अभिप्रेत है जिससे वह वन अनुसंधान संस्थान और महाविद्यालय, देहरादून या वन अनुसंधान प्रयोगशाला, बंगलौर या दक्षिणी वन राजिक महाविद्यालय, कोयम्बतूर या अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय के अधीन

अन्य क्षेत्रीय केन्द्रों में किसी पद पर, किसी विशेष टाइप या किसी उच्चतर टाइप के काम के सुसंगत उपलब्धियाँ लगातार प्राप्त करता रहा है ;

परन्तु ऐसे अधिकारी की दशा में, जो देहरादून, या कोयम्बतूर या बंगलौर में कृषि मंत्रालय के अधीन किसी कार्यालय में विदेश सेवा पर प्रतिनियुक्ति पर है, उसके वन अनुसंधान संस्थान और महाविद्यालय, देहरादून या वन अनुसंधान प्रयोगशाला, बंगलौर या दक्षिणी वन राजिक और वन अनुसंधान केन्द्र, कोयम्बतूर में पुनः तैनात होने पर उसकी पूर्विकता-तारीख के अवधारण के प्रयोजन के लिए विदेश सेवा की अवधि सम्मिलित की जाएगी :

परन्तु और यह कि टाइप 1, 2 या 3 आवास की बाबत यह तारीख, जिसमें अधिकारी पात्र पद पर लगानार सेवागत है, उस टाइप के लिए उसकी पूर्विकता तारीख होगी :

परन्तु यह भी कि जहाँ दो या अधिक अधिकारियों की पूर्विकता-तारीख एक ही हो, वहाँ उनके बीच ज्येष्ठता का अवधारण, उपलब्धियों की राशि, द्वारा अर्थात्, उच्चतर उपलब्धियाँ प्राप्त करने वाला अधिकारी न्यूनतम उपलब्धियों प्राप्त करने वाले अधिकारी से अग्रता प्राप्त करेगा, और जहाँ उपलब्धियाँ बराबर हों, वहाँ पात्र पद में सेवा काल द्वारा किया जायेगा :

- (ज) "अनुशक्ति शुल्क" से इन नियमों के अधीन आर्बंटित आवास की बाबत मूल नियमों के उपबंधों के अनुसार मासिक देय धन की राशि अभिप्रेत है;
- (ट) "आवास" से तत्कालीन संपदा अधिकारी के प्रशासनिक नियंत्रण अधीन ऐसा आवास अभिप्रेत है जो इन नियमों से उदाहरण अनुसूची में यथा बितरित है;
- (ठ) "शिक्षणी देना" में आर्बंटितों द्वारा किसी अन्य व्यक्ति के साथ ऐसे अन्य व्यक्ति द्वारा अनुज्ञप्ति शुल्क की अदायगी पर या बिना अदायगी के वास-सुविधा में अंश घटाना सम्मिलित है ।

स्पष्टीकरण:—किसी आर्बंटितों के निकट संबंधी के साथ वास-सुविधा में अंश बढ़ाने को शिक्षणी देना नहीं समझा जाएगा;

- (ड) "अस्थायी स्थानान्तरण" से ऐसा स्थानान्तरण अभिप्रेत है जिसमें चार मास से अतिरिक्त की अवधि के लिए अनुपस्थिति हो;
- (ढ) "स्थानान्तरण" से देहरादून या कोयम्बतूर या बंगलौर में किसी अन्य स्थान को या किसी पद से अपात्र पद को स्थानान्तरण अभिप्रेत है और उसमें किसी राज्य सरकार के अधीन या तब राज्य क्षेत्र प्रशासन के अधीन सेवा में स्थानान्तरण या परावर्तन और किसी पद पर प्रतिनियुक्ति भी सम्मिलित है;
- (ण) किसी अधिकारी के संबंध में "टाइप" से आवास की वह टाइप अभिप्रेत है जिसके लिए वह अनु० नि० 317-कठ 4 के अधीन पात्र है ।

पति और पत्नी का आर्बंटन—ऐसे अधिकारियों की दशा में जो एक दूसरे से विवाहित हैं, पत्नी—

अनु० नि० 317-कठ 3 :

(1) किसी अधिकारी को, इन नियमों के अधीन, तब तक आवास आर्बंटित नहीं किया जाएगा, यदि यद्यपि, अधिकारी की पत्नी या पति को पहले ही आवास आर्बंटित किया जा चुका है, जब तक ऐसा आवास अभ्यर्पित नहीं कर दिया जाता :

परन्तु यह उपनियम वहाँ लागू नहीं होगा जहाँ पति और पत्नी किसी विधि न्यायालय द्वारा किए गए न्यायिक-पृथक्करण के आदेश के अनुसरण में अलग अलग रह रहे हैं या जहाँ पृथक्करण के लिए न्यायिक कार्यवाहियाँ विधि न्यायालय के विचाराधीन हों ।

(2) जहाँ ऐसे दो अधिकारी जो इन नियमों के अधीन आर्बंटित पथक आवासों पर दखल किए हुए हैं, एक दूसरे से विवाह कर लेते हैं, वहाँ वे अपने विवाह के एक मास के भीतर आवासों में से एक का अभ्यर्पण कर देंगे ।

(3) यदि उपनियम (2) द्वारा यथापेक्षित आवासों में से एक को अभ्यर्पित नहीं किया जाता है, तो ऐसा अवधि की समाप्ति पर निम्नतर टाइप के आवास का आर्बंटन रद्द कर दिया गया समझा जाएगा और यदि दोनों आवास एक ही टाइप के हैं, तो उनमें से ऐसे एक का आर्बंटन जैसा संपदा अधिकारी विनिश्चय करें, ऐसी अवधि की समाप्ति पर रद्द कर दिया गया समझा जाएगा ।

(4) जहाँ पति और पत्नी दोनों उसी नगर में पात्र पद में नियोजित हों, तो इन नियमों के अधीन आवास के आर्बंटन के लिए प्रत्येक के हक पर स्वतन्त्र रूप से विचार किया जायेगा ।

आवासों का वर्गीकरण—अनु० नि० 317-कठ 4

(1) इन नियमों द्वारा यथा अन्यथा उपबोधित के सिवाए, कोई अधिकारी नीचे सारणी में उपबोधित टाइप के आवास के आर्बंटन के लिए पात्र होगा । वन अनुसंधान संस्थान और महाविद्यालय, देहरादून ।

सारणी

आवास	आवास का नाम	आवास की संख्या	अधिकारी का प्रवर्ग या उस का टाइप	आर्बंटन वर्ष के प्रथम दिन को जिसमें उसे आर्बंटन किया गया है, उसकी मासिक उपलब्धियाँ
1	2	3	4	
I. वर्ग 4 क्वार्टर्स	III-एक मंजिल	110 रु० से कम		
	40-दो मंजिल			
II. मार्केट क्वार्टर्स	11 } 40 } 28 }	79	110 से 249 रु० तक	
पराजपन्नित कर्मचारीवृन्द के लिए				
III. 'ख' टाइप क्वार्टर्स	65 }	123	250 से 575 रु० तक	
'ग' टाइप क्वार्टर्स	42 }			
टाइप III क्वार्टर्स	8 }			
'च' टाइप क्वार्टर्स	8 }			
राजपन्नित स्टाफ वर्ग 2 और कनिष्ठ वर्ग 1 के लिए				
IV 'ब'-2 टाइप बंगले	12 }	49	350 से 900 रु० तक	
'क' टाइप क्वार्टर्स	11 }			
'डू' टाइप अस्थायी मकान	12 }			
बंगला सं० ख-II के				
सामने अस्थायी मकान	2 }			
'च' टाइप क्वार्टर्स	12 }			
राजपन्नित स्टाफ वर्ग 1 (ज्येष्ठ)				
V 'ग' टाइप बंगले	14 }	21	700 से 899 रु० तक	
'घ' टाइप बंगले	6 }			
वन कुटीर (नगर संयोजन)	1 }			

गृह शिक्षक या मुख्य राज्य वन कालेज के लिए आरक्षित ।

1	2	3	4
VI. 'ख' टाइप बंगले	13	900 से 1299 रु० तक	
VII 'क' टाइप बंगले	4	1300 रु० और उससे ऊपर	
VIII. अध्यक्ष का बंगला सं 9	1	अध्यक्ष वन अनुसंधान संस्थान और महाविद्यालय के लिए आरक्षित ।	
दक्षिणी वन राजिक महाविद्यालय और अनुसंधान केंद्र, कोयम्बतूर ।			
I. सेवक ब्लाक	41	110 से कम	
II. क्यूरेटर का क्वार्टर	1		
हवलदार का क्वार्टर (पूर्व)	1		
हवलदार का क्वार्टर (पश्चिम)	1		
लिपिक के क्वार्टर	5	10 110 रु० से 249 रु० तक	
भोवरसीयर के क्वार्टर	1		
इंजन चालक के क्वार्टर	1		
III होस्टल ब्लाक सं० 11	2	250 रु० से 399 रु० तक	
IV. महिला डाक्टर के क्वार्टर	1		
सेटरन के क्वार्टर	1		
पुराने कमांडेंट का कार्यालय ।	1	3 400 रु० से 699 रु० तक	
V. प्रादेशिक शिक्षकों के क्वार्टर	3		
इम्पीरियल शिक्षकों के क्वार्टर	4	7 700 रु० से 1299 रु० तक	
VI. प्रिंसिपल के क्वार्टर	1	1300 रु० और ऊपर	

वन अनुसंधान प्रयोगशाला, बंगलौर

वन अनुसंधान संस्थान और महाविद्यालय, बेहराडून के लिए यथा विहित वर्गीकरण लागू होगा ।

(2) वन अनुसंधान संस्थान और महाविद्यालय, बेहराडून में सावधिक या असावधिक अधिकारियों का आवासों की समुचित संख्या देने के लिए अधिकारियों में आवासों का (अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, बेहराडून के लिए आरक्षित बंगला सं० 9 को छोड़कर) आवंटन निम्न प्रकार होगा ।

सावधिक वर्ग I अधिकारी

I. वन-शिक्षा निदेशक और वन शिक्षा अनुसंधान निदेशक ।	2 टाइप VII बंगले ।
II. रजिस्ट्रार	1 टाइप VI 'ख' टाइप बंगले
III. डीन, भारतीय कालेज प्रिंसिपल, उत्तरी वन राजिक कालेज प्रचार और संपर्क अधिकारी और ज्येष्ठता निर्भर करते हुए कोई अन्य 3 अधिकारी,	6 टाइप VI बंगले
IV. उप रजिस्ट्रार	1 टाइप V बंगला (ग)
V. किन्हीं 9 अधिकारियों के लिए	6 टाइप V बंगले (ग) 3 यथोक्त घ-1
VI. गृह-शिक्षक या प्रिंसिपल राज्य वन महाविद्यालय ।	1 टाइप V बंगला (नगर में वन कुटीर)

असावधिक वर्ग I अधिकारी

I. 2 निदेशकों के लिए	2 टाइप VII बंगले ।
II. 6 ज्येष्ठ अनुसंधान अधिकारियों के लिए	6 टाइप VI बंगले ।

III. किन्हीं 10 अधिकारियों के लिये	7 टाइप V बंगले (ग) 3 टाइप V बंगले (घ-1)
IV. किन्हीं 3 अधिकारियों के लिये	3 टाइप IV बंगले (घ-2)
V. सेवा शाखा या भारसाधक अधिकारी	1 टाइप IV या बंगला
सावधिक वर्ग 2 अधिकारी	
I. किन्हीं 2 अधिकारियों के लिये (घ-2)	
II. किन्हीं 5 अधिकारियों के लिये (ङ०)	
III. किन्हीं 3 अधिकारियों के लिये जिसमें लेखा अधिकारी, वन अनुसंधान संस्थान और महाविद्यालय (क) भी सम्मिलित है	10 टाइप वाम-मुविधा

असावधिक वर्ग 2 अधिकारी

I. किन्हीं 6 अधिकारियों के लिये (घ-2)	
II. किन्हीं 9 अधिकारियों के लिये (ङ०)	
III. किन्हीं 8 अधिकारियों के लिये जिसमें क्षेत्रमिति अधिकारी और सहायक रजिस्ट्रार में से प्रत्येक के लिये एक एक सम्मिलित है । (क)	23 टाइप IV वाम-मुविधा
IV. किन्हीं 12 अधिकारियों के लिये जिसमें व्यायाम प्रशिक्षण और खेल कूद अनुदेशक भी है ।	12 टाइप III क्वार्टर (च टाइप)
V. नए वन अस्पताल में एक चिकित्सा भार-साधक अधिकारी के लिये ।	1 सलून आवास

(3) निम्नलिखित अधिकारियों का निवेश में निवास करना लोक-हित में अपेक्षित है,

- (क) वनविद्या अनुसंधान निदेशक (केन्द्रीय सिल्ला) ।
- (ख) वन-शिक्षा निदेशक ।
- (ग) रजिस्ट्रार ।
- (घ) डीन, भारतीय वन महाविद्यालय ।
- (ङ) उप रजिस्ट्रार ।
- (च) प्रिंसिपल, उत्तरी वन राजिक महाविद्यालय ।
- (छ) प्रचार और संपर्क अधिकारी ।

(4) यदि किसी अधिकारी को उसकी ज्येष्ठता के क्रम में उसके हक की वास सुविधा उपलब्ध नहीं की जाती है, तो उसे अगली न्यूनतम टाइप का आवास आवंटित किया जायेगा और वह उस टाइप के बंगले के लिये, ज्यों ही वह खाली होता है, प्रतीक्षा सूची पर के व्यक्तियों पर अधिमन्यता प्राप्त करेगा ।

(5) निम्नलिखित पदों के पदधारियों को सावधिक अधिकारी घोषित किया गया समझा जायेगा ।

वन अनुसंधान संस्थान और महाविद्यालय बेहराडून

क्र० सं०	पद	परिशोधित वेतनमान
1	2	3
1. वन शिक्षा निदेशक		1300-60-1600-100-1800
2. वनविद्या अनुसंधान निदेशक ।		1300-60-1600-100-1800
3. डीन, भारतीय वन महाविद्यालय		1300-60-1600-100-1800
4. सम्पादक सम्पादकीय मंडल		1300-60-1600-100-1800
5. रजिस्ट्रार, वन अनुसंधान और महाविद्यालय, बेहराडून		1100-50-1400

1	2	3
6. उप रजिस्ट्रार, वन अनुसन्धान और महा-विद्यालय, देहरादून	700-1250	
7. सहायक मिल्वा (प्रयोगात्मक)	700-1250	
8. गोण वन उत्पाद अधिकारी	700-1250	
9. सहायक वन वृक्ष-वैज्ञानिक (साधारण)	700-1250	
10. प्रिंसिपल, उत्तरी वन राजिक महाविद्यालय	700-1250	
11. लांगिंग अधिकारी	700-1250	
12. प्राध्यापक, भारतीय वन महाविद्यालय	700-1250	
13. अनुदेशक, उत्तरी वन राजिक महाविद्यालय	700-1250	
14. प्रचार और संपर्क अधिकारी	700-1250	
15. सहायक सम्पादक	700-1250	
16. क्षेत्रमिति अधिकारी, जब किसी राज्य वन अधिकारी द्वारा प्रतिनियुक्ति के आधार पर धारण किया जाये।	700-1250	
17. वन उपयोग अधिकारी	700-1250	
18. सहायक वन वृक्ष वैज्ञानिक (योजना अध्ययन)	700-1250	
19. दक्षिणी वन राजिक (खाना फाड़ों का संक्षिप्तकरण)	700-1250	
20. ज्येष्ठ अनुसन्धान अधिकारी (वन-वृक्ष और भूमि अनुभाग)	700-1250	
21. ज्येष्ठ अनुसन्धान अधिकारी, प्राध्यापक, वन जन्तु	700-1250	
22. ज्येष्ठ अनुसन्धान अधिकारी (वन प्राधिक)	700-1250	
23. लेखा अधिकारी	590-900	
24. अनुसन्धान अधिकारी (लांगिंग) जब किसी राज्य वन अधिकारी द्वारा प्रतिनियुक्ति के आधार पर धारण किया जाये।	350-900	
25. सहायक अनुदेशक, उत्तरी वन राजिक महाविद्यालय।	350-900	

दक्षिणी वन राजिक महाविद्यालय और वन अनुसंधान केन्द्र, कोयम्बतूर।

1. जीव-सम्बन्धी अनुसन्धान अध्यक्ष और प्रिंसिपल दक्षिणी वन राजिक महाविद्यालय और वन अनुसन्धान केन्द्र, कोयम्बतूर।	1300-60-1600-100-1800
2. अनुदेशक, दक्षिणी वन राजिक महाविद्यालय	700-1250
3. सहायक अनुदेशक, दक्षिणी वन राजिक महाविद्यालय	350-900

आवासों का आबंटन और प्रस्थापना

अनु० नि० 317-क ठ 5

- (1) इन नियमों में अस्पष्टता उपबंधन के सिवाये, कोई आवास खाली होने पर संपदा अधिकारी द्वारा निम्नलिखित शर्तों के अधीन रहते हुये ऐसे अधिकारी को, जिसके पास उस टाइप या

उसके समतुल्य टाइप की वास-सुविधा नहीं है, आवंटित किया जायेगा:—

- (i) संपदा अधिकारी किसी अधिकारी को ऐसे टाइप के आवास में उच्चतर टाइप का आवास आवंटित नहीं करेगा जिसके लिये वह अनु० नि० 317 क ठ 4 के अधीन पात्र है।
- (ii) संपदा अधिकारी किसी अधिकारी को उस टाइप के आवास में न्यूनतर टाइप के आवास को स्वीकार करने के लिये मजबूर नहीं करेगा जिसके लिये वह अनु० नि० 317 क ठ 4 के अधीन पात्र है।
- (iii) यदि समुचित टाइप की वास-सुविधा उपलब्ध न हो, तो अधिकारी के लिये अगली न्यूनतर टाइप के गृह के लिये विचार किया जायेगा और उस टाइप के बंगले के लिये, ज्योंही वह खाली होता है, प्रतीक्षा सूची पर के व्यक्तियों पर वह अधिमान्यता प्राप्त करेगा। यदि कोई बंगला अगली न्यूनतर टाइप में उपलब्ध नहीं है, तो अधिकारी को छः मास की अधिकतम अवधि के लिये अस्थायी रूप से किसी न्यूनतर टाइप में कोई वास-सुविधा दी जा सकेगी। उस अवधि के दौरान वास-सुविधा के लिये उसे अपना प्रबन्ध करना होगा ताकि ऐसी अवधि की समाप्ति पर, यदि वह नियमित आधार पर अपने हक के या अगली निचली टाइप के आवास प्राप्त नहीं करता है, तो उसे उक्त अस्थायी वास-सुविधा को खाली करना होगा।

(2) संपदा अधिकारी किसी अधिकारी का विद्यमान आबंटन रद्द कर सकेगा और उसके बदले उसे उसी टाइप का आवास या आपात परिस्थितियों में उस आवास के बदले जिसे अधिकारी ने दखल किया हुआ है, और जिसको खाली करना अपेक्षित है, अगली निचली टाइप का आवास आवंटित कर सकेगा।

(3) कोई खाली आवास, उप नियम (1) के अधीन किसी अधिकारी को आवंटित करने के प्रतिरिक्त अन्य पात्र अधिकारी को भी उनकी पूर्विकता तारीख के क्रम में, साथ साथ दिया जा सकेगा।
बिन पारी आबंटन-अनु० नि० 317 क ठ 6

संपदा अधिकारी निम्नलिखित परिस्थितियों में, किसी अधिकारी के पुत्र या पुत्री या पत्नी (पात्र पद के कर्मचारी) के नाम बिना पारी आबंटन कर सकेगा:—

- (i) अधिकारी की मृत्यु होने पर।
- (ii) किसी अधिकारी की, उसकी उत्पत्तना के कारण, सेवा की समाप्ति पर, या उन अन्य परिस्थितियों में जब कि उसने कुटुम्ब को विपत्ति में छोड़ दिया हो।

परन्तु यदि अधिकारी का पुत्र, पुत्री या पत्नी किसी पात्र पद पर नियुक्त की जाती है और अपने वेतन के आधार पर वह अपने द्वारा पहले से ही दखल किये गये टाइप के आवास के आबंटन की हकदार हो, तो उसे वह आवास आवंटित किया जायेगा और अन्य मामलों में उसे ऐसे टाइप का आवास आवंटित किया जायेगा जिसके लिये वह अपने द्वारा प्राप्त उपलब्धियों के आधार पर हकदार हो;

परन्तु और यह कि इस नियम के अधीन कोई आबंटन अधिकारी के पुत्र या पुत्री के नाम तक नहीं किया जायेगा जब तक वह खंड (ii) में उल्लिखित परिस्थितियों में अधिकारी की मृत्यु या अधिकारी की सेवा की समाप्ति के ठीक पूर्व छः मास तक लगातार अधिकारी के साथ न रहा हो/रही हो। आबंटन या उसकी प्रस्थापना की अस्वीकृति या स्वीकृति के पश्चात् आवंटित आवास के दखल करने में असफलता अनु० नि० 317 क ठ 7 (1) यदि कोई अधिकारी आबंटन आवेश की पति से

पांच दिन के भीतर आवास के आवंटन को स्वीकार करने में असफल रहता है, या स्वीकृति के पश्चात् आवंटन के आवेदन की प्राप्ति की तारीख से आठ दिन के भीतर उस आवास का कब्जा लेने में असफल रहता है, तो यह आवंटन (पत्र) आवेदन की तारीख से एक वर्ष की अवधि के लिये अन्य आवास के आवंटन के लिये पात्र नहीं होगा।

(2) यदि किसी अधिकारी को, जिसके पास न्यूनतर टाइप का आवास है, ऐसे टाइप का आवास आवंटित या प्रस्थापित किया जाना है जिसके लिये वह अनु० नि० 317-कठ 4 के अधीन पात्र है, तो उसे उक्त आवंटन या आवंटन की प्रस्थापना के इस्कार करने पर निम्नलिखित शर्तों पर पूर्व आवंटित आवास में रहने दिया जा सकेगा, अर्थात्:—

(क) कि ऐसा अधिकारी, उच्चतर वर्ग की वाम सुविधा के लिये आवंटन (पत्र) आवेदन की तारीख से छः मास की अवधि के लिये अन्य आवंटन के लिये पात्र नहीं होगा;

(ख) विद्यमान आवास रखने के दौरान, उसे उसी अनुज्ञप्ति शुल्क से जो उसे यू० नि० 45 क के अधीन इस प्रकार आवंटित या प्रस्थापित आवास की वापत देना पड़ता या पहले से ही उसके कब्जाधीन आवास की वापत देय अनुज्ञप्ति शुल्क में, जो भी उच्चतर हो, प्रभारित किया जायेगा।

वह अवधि जिसके लिये आवंटन अस्तित्व में रहता है तथा और रखने के लिये रियायती अवधि अनु० नि० 317 कठ 8:

(1) आवंटन उस तारीख से प्रभावी होगा जिसको वह अधिकारी द्वारा स्वीकार किया जाता है और वह तब तक प्रवृत्त रहेगा जब तक:

(क) पात्र पद में अधिकारी का कर्तव्य करना बन्द करने के पश्चात् उपखंड (2) के अधीन अनुज्ञेय रियायती अवधि की समाप्ति नहीं होती है या

(ख) संपदा अधिकारी द्वारा रद्द नहीं कर दिया जाता है या इन नियमों के किसी उपबन्ध के अधीन रद्द नहीं कर दिया गया समझा जाता है, या

(ग) अधिकारी द्वारा समाप्त नहीं कर दिया जाता है, या

(घ) अधिकारी आवास पर उखल बन्द नहीं कर देता है।

(2) किसी अधिकारी को आवंटित आवास, उपनियम (3) के अधीन रहते हुये, नीचे दी गई सारणी के स्तम्भ 1 में विनिर्दिष्ट घटनाओं में से किसी के होने पर, उसके स्तम्भ 2 में तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिये रखा जा सकेगा, परन्तु यह तब जब कि आवास अधिकारी या उसके कुटुम्ब के सदस्यों के मद्भागपूर्ण उपयोग के लिये अपेक्षित हो।

सारणी

घटनायें	आवास के प्रतिधारण के लिये अनुज्ञेय अवधि
1	2
i. त्यागपत्र, पदच्युति, हटाया जाना या सेवा की समाप्ति या बिना आवास के अनधिकृत अनुपस्थिति	1 मास
ii. सेवानिवृत्ति या सेवान् छुट्टी	2 मास
iii. आवंटित की मृत्यु	4 मास
iv. देहरादून या बंगलौर या कोयम्बतूर के बाहर किसी स्थान को स्थानान्तरण	2 मास

1	2
v. देहरादून या कोयम्बतूर या बंगलौर में किसी अपात्र पद पर स्थानान्तरण	2 मास
vi. भारत में विदेश सेवा पर जाने पर	2 मास
vii. भारत में अस्थायी स्थानान्तरण या भारत के बाहर किसी स्थान को स्थानान्तरण	4 मास
viii. छुट्टी (सेवा निवृत्तिपूर्व छुट्टी, अस्थायी-कृत छुट्टी, सेवान् छुट्टी, चिकित्सा छुट्टी या अध्ययनार्थ छुट्टी से भिन्न)	छुट्टी की अवधि के लिये किन्तु 4 मास से अधिक।
ix. सेवा निवृत्तिपूर्व छुट्टी या यू० नि०-86 के अधीन अनुदत्त अस्वीकृत छुट्टी।	अधिकतम 4 मास जिसमें सेवा निवृत्ति की वषा में अनुज्ञेय अवधि भी सम्मिलित है, के अधीन रहते हुए पूर्ण श्रमन वेतन पर छुट्टी की पूरी अवधि के लिये।
x. अध्ययनार्थ छुट्टी या भारत के बाहर प्रतिनिधित्व।	छुट्टी की अवधि के लिये किन्तु 6 मास से अधिक।
xi. भारत में अध्ययनार्थ छुट्टी	छुट्टी की अवधि के लिये किन्तु 6 मास से अधिक।
xii. चिकित्सा के आधार पर छुट्टी	छुट्टी की पूरी अवधि के लिये।
xiii. प्रशिक्षण के लिये जाने पर।	प्रशिक्षण की पूरी अवधि के लिये।

स्पष्टीकरण:—सारणी के मद (iv), (v) और (vii) के सामने उल्लिखित स्थानान्तरण पर अनुज्ञेय अवधि, छुट्टी की अवधि, यदि कोई हो, जो नये कार्यालय पर भार संभालने से पूर्व किसी अधिकारी को मंजूर की गई है और उसके द्वारा उपयोगित की गई हो, सहित भारत छोड़ने की तारीख में गिनी जायेगी। (3) जहां कोई आवास उपनियम (2) के अधीन रोकड़ा जाता है तो अनुज्ञेय रियायती अवधि की समाप्ति पर जब तक उसकी समाप्ति पर तुरन्त अधिकारी पात्र पद पर कर्तव्य ग्रहण नहीं करता, रद्द कर दिया गया समझा जायेगा।

(4) ऐसा अधिकारी जिसने उपनियम (2) के नीचे सारणी के मद (I) और मद (II) के अधीन रियायत के नाते आवास का प्रतिधारण किया है, उक्त सारणी में विनिर्दिष्ट अवधि के भीतर पात्र पद पर पुनः नियोजित होने पर उस आवास के प्रतिधारण करने का हकदार हो जायेगा और वह इन नियमों के अधीन आवास के किसी और आवंटन के लिये भी पात्र होगा :

परन्तु यदि ऐसे पुननियोजन पर अधिकारी की उपस्थितियां उस द्वारा प्रतिभूत आवास की टाइप के लिये उसे हकदार नहीं बनाती तो उसे निम्नतर टाइप का आवास आवंटित किया जायेगा।

(5) उपनियम (2) या उपनियम (3) या उपनियम (4) में किसी बात के होने हुये भी, जब कोई अधिकारी सेवा से पदच्युत किया जाता है या हटाया जाता है या जब उसकी सेवायें समाप्त कर दी गईं हो और उस पत्र की वापत जिसमें ऐसा अधिकारी ऐसी अपदच्युति, हटाये जाने या समाप्ति से ठीक पूर्व नियोजित था, बिभागाध्यक्ष का यह समाधान हो जाता है कि ऐसा करना लोक हित में आवश्यक या समीचीन है, तो यह संपदा अधिकारी के ऐसे अधिकारी को किये गये आवास का

आवंटन तत्काल या उपनियम (2) के नीचे सारणी के मद (1) में निर्दिष्ट एक मास की अवधि की समाप्ति से पहले ऐसी तारीख से जो वह विनिश्चित करे, आवास का आवंटन रद्द करने की अपेक्षा कर सकेगा और संपदा अधिकारी तदनुसार कार्यवाही करेगा।

अनुज्ञप्ति शुल्क से संबंधित उपबन्ध—अनु० नि० 317—क ठ—9 :

(1) जहाँ वाम-मुविधा या वैकल्पिक वाम-मुविधा का आवंटन स्वीकार कर लिया जाता है वहाँ अनुज्ञप्ति शुल्क के लिए दायित्व स्वीकृति की तारीख से प्रारंभ होगा।

(2) ऐसे अधिकारी पर जो स्वीकृति के पश्चात् आवंटन आदेश की प्राप्ति की तारीख से आठ दिन के अन्दर उस वाम-मुविधा पर कब्जा लेने में असफल रहता है, अनुज्ञप्ति शुल्क ऐसी तारीख से एक मास की अवधि तक या वाम-मुविधा के पुनः आवंटन की तारीख तक, इन में से जो भी पूर्वतर हो, प्रभावि होगा।

(3) वह अधिकारी जिसे आवास आवंटित कर दिया गया है, अनुज्ञप्ति शुल्क के साथ साथ समय समय पर यथा नियत किए गए जब और अन्य सफाई खर्च देने का दायी होगा।

(4) जहाँ किसी अधिकारी को, जिसके दखल में कोई आवास है, अन्य आवास आवंटित किया जाता है और वह आवास पर दखल कर लेता है वहाँ नए आवास पर दखल करने की तारीख से पहले के नए आवास का आवंटन रद्द कर दिया गया समझा जाएगा। तथापि, वह, स्थानान्तर करने के लिए, उस दिन और अगले दिन के लिए अनुज्ञप्ति शुल्क की अदायगी के बिना पूर्वतर आवास का प्रतिभारण कर सकेगा।

जब तक आवास खाली नहीं किया जाता, जब तक अनुज्ञप्ति शुल्क की अदायगी के लिए अधिकारी का वैयक्तिक दायित्व का होना और अस्थायी अधिकारियों द्वारा प्रतिभू देना—अनु० नि० 317 क ठ—10 :

(1) वह अधिकारी जिसे कोई आवास आवंटित किया गया है उस पर अनुज्ञप्ति शुल्क के लिए और सरकार द्वारा उसमें लगाए गए फरनीचर, फिक्सचर और फिटिंग्स या सेवाओं पर हुई सही टूट-फूट से भिन्न किसी नुकसान उस अवधि के दौरान जिसके लिए आवास उसे आवंटित किया गया है और आवंटित रहता है या जहाँ इन नियमों के उपबन्धों में से किसी के अधीन आवंटन रद्द कर दिया जाता है, जब तक वैयक्तिक रूप से दायी होगा, जब तक आवास उसके उपगृह मजिद खाली नहीं कर दिया जाता और उसका पूर्ण खाली कब्जा सरकार को नहीं दे दिया जाता।

(2) जहाँ ऐसा अधिकारी जिसे आवास आवंटित किया गया है, न तो स्थायी है और न ही स्थायीवत् सरकारी सेवक है, वहाँ वह ऐसे आवास, और सेवाओं और उनके बदले दिए गए किसी अन्य आवास की बाबत अनुज्ञप्ति शुल्क और अन्य प्रभारों की अदायगी के लिए केन्द्रीय सरकार द्वारा इस निमित्त विहित प्रणाली में प्रतिभूति बंधपत्र तथा एक प्रतिभू जो केन्द्रीय सरकार के अधीन सेवागत सरकारी सेवक हो, देगा।

(3) यदि प्रतिभू सरकारी सेवा में नहीं रहता या दिवालिया हो जाता है या अपनी प्रत्यभूति वापस ले लेता है या किसी अन्य कारण से उपलब्ध नहीं होता, तो अधिकारी ऐसी घटना या तथ्य का ज्ञान प्राप्त करने की तारीख से तीस दिन के अन्दर किसी अन्य अधिकारी (प्रतिभू) द्वारा निष्पादित नया बंधपत्र देगा और यदि वह ऐसा करने में असफल रहता है, तो आवास का आवंटन जब तक उस घटना की तारीख से रद्द कर दिया गया समझा जाएगा, जब तक संपदा अधिकारी द्वारा अन्यथा विनिश्चित न किया जाए।

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आवंटन का अभ्यर्पण और सूचना की अवधि—अनु० नि० 317—क ठ—11 :

कोई अधिकारी सूचना द्वारा, जो संपदा अधिकारी को आवास के खाली करने की तारीख से कम से कम दस दिन पहले पहुंच जाए, किसी भी समय आवंटन का अभ्यर्पण कर सकेगा। आवास का आवंटन उस दिन के पश्चात् जिस दिन संपदा अधिकारी द्वारा पत्र प्राप्त किया जाता है, म्यारहवें दिन से या पत्र में विनिश्चित तारीख से, जो भी पश्चात्पूर्वी हो, रद्द कर दिया गया समझा जाएगा। यदि अधिकारी समयक सूचना देने में असफल रहता है, तो वह दस दिन के लिए या उनके दिनों के लिए जितने से उस द्वारा दी गई सूचना 10 दिन से कम पड़ती है, जब तक अनुज्ञप्ति शुल्क की अदायगी के लिए उत्तरदायी होगा जब तक संपदा अधिकारी लघुतर अवधि के लिए सूचना स्वीकार नहीं करता।

आवास का परिवर्तन—अनु० नि० 317—क ठ—12 :

(1) वह अधिकारी जिसे इन नियमों के अधीन आवास आवंटित किया गया है, उसी टाइप के अन्य आवास के लिए आवेदन दे सकेगा। अधिकारी को आवंटित आवास की एक टाइप की बाबत एक से अधिक परिवर्तन अनुज्ञान नहीं किया जाएगा।

(2) विशेष दशाओं में परिवर्तन संपदा अधिकारी के कार्यालय में ऐसे आवेदनों की प्राप्ति के क्रम में दिये जाएंगे।

(3) यदि आवंटन के ऐसे प्रस्थापन के जारी करने के पांच दिन के भीतर कोई अधिकारी प्रस्थापित आवास का परिवर्तन स्वीकार करने में असफल रहता है, तो उस मामले में उस टाइप के आवास में परिवर्तन करने के लिए पुनः विचार नहीं किया जाएगा।

कुटुम्ब के किसी सदस्य की मृत्यु की दशा में आवास का परिवर्तन—अनु० नि० 317—क ठ—13 :

अनु० नि० 317 क ठ—12 में अन्तर्विष्ट किसी बात के होते हुए भी, किसी अधिकारी को उसके कुटुम्ब के किसी सदस्य की मृत्यु पर, उस दशा में आवास का परिवर्तन अनुज्ञापित किया जा सकेगा, जबकि वह ऐसी घटना होने के तीन मास के भीतर परिवर्तन के लिए आवेदन करता है, परन्तु शर्त यह होगी कि परिवर्तन उसी टाइप के आवास और उसी मंजिल के लिए किया जाएगा जो पहले ही अधिकारी को आवंटित किया गया था।

आवास का पारस्परिक विनियम—अनु० नि० 317 क ठ—14 :

वे अधिकारी जिन्हें इन नियमों के अधीन एक ही टाइप के आवास आवंटित किए गए हैं, अपने आवासों को पारस्परिक रूप से बदलने की अनुज्ञा के लिए आवेदन दे सकेंगे। पारस्परिक रूप से आवासों के बदलने के लिए अनुज्ञा तभी दी जा सकेगी जबकि दोनों अधिकारियों से पात्र पद पर कर्तव्य में बने रहना और ऐसे बदले जाने के लिए अनुमोदन की तारीख से कम से कम छः मास के लिए अपने पारस्परिक रूप से बदले गए आवासों में रहना व्यक्तिगत प्रत्याशित हो। भिन्न टाइप की वाम-मुविधाओं में पारस्परिक रूप से बदलना अनुज्ञान नहीं किया जाएगा।

आवास का अनुरक्षण—अनु० नि० 317—क ठ—15 :

वह अधिकारी जिसे आवास आवंटित किया गया है, यथास्थिति, केन्द्रीय लोक निर्माण विभाग, संपदा अधिकारी और संबंध चिकित्सा अधिकारी या स्वास्थ्य अधिकारी के समाधानप्रद रूप में आवास और परिसर को स्वच्छ दशा में रखेगा।

ऐसा अधिकारी आवास में संलग्न किसी भाग, प्रांगण या शतों में संपदा अधिकारी या केन्द्रीय लोक निर्माण विभाग के अनुदेशों के प्रतिकूल, संपदा अधिकारी की पूर्व विहित अनुज्ञा के बिना न भी पेट, छाड़ियाँ और पीढ़े लगाएगा और न ही किसी विद्यमान पेट या छाड़ी को काटेगा या उसकी कटाई छटाई करेगा। इस नियम के उल्लंघन में लगाए गए पेट, बागान, वनस्पतियाँ संवद्ध अधिकारी की जोखिम और लागत पर संपदा अधिकारी द्वारा हटवा दी जाएगी। इस प्रकार काटे गए पेट और छाड़ियाँ संपदा अधिकारी द्वारा निपटाए जाएंगे।

आवासों का शिकमी देना और उनमें अंश बंटाना—अनु० नि० 317 क ट-16 :

(1) कोई अधिकारी किसी अधिकारी के बिना किसी अन्य व्यक्ति को उसे आवंटित आवास या उससे गलत किसी उपगृह, गराज और अस्तबल शिकमी पर नहीं देगा। सेवकों के बर्तारों, उपगृह और गराज केवल मद्भावपूर्ण प्रयोजनों जिसमें आवंटित सेवकों का आवास भी सम्मिलित है या संपदा अधिकारी द्वारा अनुज्ञा ऐसे अन्य प्रयोजनों के लिए प्रयुक्त किए जा सकेंगे।

(2) कोई भी अधिकारी अपने आवास को पूरा शिकमी पर नहीं देगा :

परन्तु छुट्टी पर जाने वाला अधिकारी किसी अन्य अधिकारी को, जो सरकारी वस-सुविधा में अंश पाने का पात्र हो, रखवाले के रूप में, अनु० नि० 317 क ट 8 के उपनियम (2) में विनिर्दिष्ट अवधि के लिए जो छः मास से अधिक होगी, आवास में रखा दे सकेगा।

(3) वह अधिकारी जो अपने आवास में अंश बंटाना है या शिकमी देता है, ऐसा अपने जोखिम और दायित्व पर करेगा और वह आवास की बाबत देय अनुज्ञप्ति शुल्क और आवास या इसकी प्रसीमाओं या भूमि की या उगमें सरकार द्वारा दी गई सेवाओं की ठीक ठीक बिसाई से भिन्न किसी नुकसान के लिए वैयक्तिक रूप से दायी होगा।

नियमों और शर्तों के भंग के परिणाम—अनु० नि० 317—क ट —18 :

यदि कोई अधिकारी जिसे कोई आवास आवंटित किया गया है आवास को अप्राधिकृत रूप से शिकमी देता है या अंश पाने वाले में ऐसी दर पर अनुज्ञप्ति शुल्क देता है जो संपदा अधिकारी के विचार में अधिक है या आवास के किसी भाग में कोई अप्राधिकृत संरचना करता है या आवास या उसका कोई भाग किसी ऐसे प्रयोजनों में भिन्न प्रयोजनों के लिए प्रयुक्त करता है जिसके लिए वह है या बिजली अथवा पानी के कन्वर्शनों का बिभाजित है या आवंटन के नियमों या निबंधों और शर्तों का कोई अन्य भंग करता है या आवास अथवा परिसरों को ऐसे प्रयोजनों के लिए प्रयुक्त करता है या करने की अनुज्ञा देता है जो संपदा अधिकारी के विचार में अनुचित हैं या इस प्रकार का आचरण करता है जो उग (संपदा अधिकारी) की राय में उसके पट्टीमियों के साथ समंजसपूर्ण संबंधों के अनुक्षण पर प्रतिकूल प्रभाव डालते हैं या आवंटन करने के उद्देश्य से किसी आवंटन या लिखित कथन में जानबूझकर गलत सूचना दी है, तो संपदा अधिकारी, किसी अन्य अनुशासनिक कार्यवाही पर जो उसके विरुद्ध की जा सकेगी, प्रतिकूल प्रभाव डाले बिना आवास का आवंटन रद्द कर सकेगा।

स्पष्टीकरण :—इस उपनियम में 'अधिकारी' अभिव्यक्ति में उसके कुटुम्ब का सदस्य और अधिकारी के माध्यम से दावा करने वाला कोई अन्य व्यक्ति भी सम्मिलित है।

(2) यदि कोई अधिकारी उसे आवंटित आवास या उसका कोई भाग या उसे संलग्न कोई उपगृह, गराज या अस्तबल, इन नियमों के उल्लंघन में, शिकमी देता है, तो उसे किसी भी कार्यवाही पर, जो उसके विरुद्ध की जा सकेगी, प्रतिकूल प्रभाव डाले बिना, बढ़ाया गया अनुज्ञप्ति शुल्क भी लिया जाएगा जो म० नि० 45 क के अधीन मानक अनुज्ञप्ति शुल्क के चार गुना से अधिक नहीं होगा। बसूल की जाने वाली अनुज्ञप्ति शुल्क माना और वह अवधि जिसके लिए वह बसूल की जाएगी, संपदा अधिकारी द्वारा प्रत्येक मामले में गुणगुण के आधार पर विनिश्चित की जाएगी। इसके अलावा, अधिकारी को भविष्य में आवास में अंश बंटाने में, ऐसी विनिश्चित अवधि के लिए जो संपदा अधिकारी द्वारा विनिश्चित की जाए, विवर्जित किया जा सकेगा।

(3) जहाँ आवंटित द्वारा परिसरों में अप्राधिकृत रूप से अंश बंटाने से आवंटन रद्द करने की कार्रवाई की जाती है वहाँ आवंटित को या उसके साथ उसमें रहने वाले किसी अन्य व्यक्ति को उन परिसरों को खाली करने के लिए साठ दिन की अवधि दी जाएगी। आवंटन, परिसरों के खाली करने की तारीख में या आवंटन के रद्द करने की तारीख से साठ दिन की अवधि की समाप्ति पर, इन में से जो भी पहले हो, रद्द किया जा सकेगा।

(4) जहाँ आवास का आवंटन, पट्टीमियों के साथ समंजसपूर्ण संबंधों के अनुक्षण पर प्रतिकूल प्रभाव डालने वाले आचरण के कारण, रद्द किया जाता है वहाँ अधिकारी को, संपदा अधिकारी के निवेदानुसार किसी अन्य स्थान पर उसी टाइप का अन्य आवास आवंटित किया जा सकेगा।

(5) संपदा अधिकारी, इस नियम के उपनियम (1), (2), (3) और (4) के अधीन सभी या किसी कार्रवाई को करते और ऐसे अधिकारी को जो उसे जारी किए गए नियमों और अनुदेशों को भंग करता है, तीन वर्ष से अधिक की अवधि के लिए आवासीय वस-सुविधा के आवंटन के लिए अपात्र भी घोषित करेगा के लिए यक्षम होगा।

आवंटन के रद्दकरण के पश्चात् आवास में अधिक देर तक निकास करना अनु० नि० 317—क ट —19 :

जहाँ इन नियमों में अंतर्निहित किसी उपबन्ध के अधीन कोई आवंटन रद्द कर दिया गया या रद्द कर दिया गया समझा गया है, बहा जाने के पश्चात् आवास उस अधिकारी के जिसे वह आवंटित किया गया था या उसकी मार्फत दावा करने वाले व्यक्ति के दखल में रहता है या रहा है, ऐसा अधिकारी आवास, सेवाओं, फर्नीचर और बाग के प्रयोग और दखल के लिए सरकार द्वारा समय समय पर यथा अवधारित बाजार अनुज्ञप्ति शुल्क के बराबर प्रभार नुकसानी के रूप में देन के लिए दायी होगा :

परन्तु संपदा अधिकारी द्वारा विशेष दशाओं में, कोई अधिकारी अनु० नि०-45क के अधीन मानक अनुज्ञप्ति शुल्क के दुगुने की अदायगी पर जो भी उच्चतर हो, म० नि० 317—क ट-8 के उपनियम (2) के अधीन अनुज्ञप्ति अवधि के पुरे छः मास से अधिक अवधि के लिए आवास को रखने के लिए अनुज्ञप्त किया जा सकेगा।

इन नियमों के जारी किए जाने से पूर्व किए गए आवंटनों का चालू रहना—अनु० नि० 317 क ट-20 :

किसी आवास का कोई विधिमार्ग आवंटन, जो इन नियमों के प्रारम्भ से ठीक पूर्व प्रचलित है, उस समय प्रवृत्त नियमों के अधीन, इस बात के होते हुए भी कि वह अधिकारी जिसे वह आवंटन किया गया है, अनु० नि० 317—क ट-1 के अधीन उस टाइप के आवास के लिए पात्र नहीं है, इन नियमों के अधीन सम्यक्तः किया गया आवंटन

समझा जाएगा और इन नियमों के सभी पूर्ववर्ती उपबन्ध उस आर्देन और उस अधिकारी के संबंध में तदनुसार लागू होंगे।

नियमों का निर्वचन—अनु० नि० 317—कठ—21:

यदि इस खण्ड में के नियमों के निर्वचन के संबंध में कोई प्रश्न उत्पन्न है, तो उस पर सरकार का विनिश्चय अंतिम होगा।

नियमों का शिथिलकरण—अनु० नि० 317—कठ—22:

सरकार, किसी अधिकारी या आवास या अधिकारियों के वर्ग या आवास को टाइप दशा में, इस खंड में के नियमों के सभी या किसी उपबन्ध को, लेखद्वारा कारणों में शिथिल कर सकेगी।

शक्तियों या शक्तियों का प्रत्यायोजन—अनु० नि० 317—कठ—23:

सरकार, किसी शक्तियों के अधीन रहते हुए, जैसी वह अधिरोपित करना उचित समझे, इस खंड में नियमों द्वारा उसे प्रदत्त सभी या किसी शक्ति को, अपने नियंत्रणाधीन किसी अधिकारी का प्रत्यायोजित कर सकेगी।

अनुसूची

प्रत्येक टाइप में आवासों का संख्या, उनकी पहचान और वर्गीकरण आदि की सूचना देते हुए, आवास का अनुसूची

ग्राम-सुविधा की टाइप	आवासों का संख्या	पहचान	वर्गीकरण
अध्यक्ष का बंगला	1 सं० 9		टाइप VIII
'क' टाइप बंगले	4 सं० 13 से 16		टाइप VII
'ख' टाइप बंगले	13 सं० 1 से 8 सं० 10 से 12 सं० 17 से 18		टाइप VI
'ग' टाइप बंगले	14 सं० 19 से 32		टाइप V
'घ' टाइप बंगले	6 सं० 45 से 50		
नगर में 'वन कुटीर' 28-ई० सी० रोड, देहरादून	1	—	
'ब'-2 टाइप बंगले	12 सं० 33 से 44		टाइप IV
'क' टाइप क्वार्टर	11 सं० 1 से 11		टाइप IV
'क' टाइप अस्थायी मकान 12 लोगों के क्वार्टर और दो सेट (पुराने अधिकारियों के ब्लॉक, बी० 1/11 (3-कमरे वाले) के सामने	14	ब्लॉक 82 में सेट 1, 2 और 3 ब्लॉक 83 में सेट 1, 2 और 3 ब्लॉक 4 में सेट 1, 2 और 3 ब्लॉक 2 में सेट 1, 2 और 3 ब्लॉक 5 में सेट 1 अधिकारियों के ब्लॉक में सेट 1 और 2	टाइप IV
उत्तरी वन अस्पताल में चिकित्सा अधिकारियों के आवास	1	—	
'ख' टाइप क्वार्टर	65 सं० 12 से 75 सं० 118		टाइप III
'ग' टाइप क्वार्टर	42 सं० 76 से 117		टाइप III
'क' टाइप क्वार्टर	28 सं० 29 से 56		टाइप III

मार्केट क्वार्टर	11 सं० 1 से 11	टाइप II
'छ' टाइप क्वार्टर	28 सं० 1 से 28	टाइप II
'ज' टाइप क्वार्टर	40 सं० 119 से 158	टाइप II
पुराने वर्ग IV क्वार्टर	111 सं० 1 से 111	टाइप II
नए बुर्जल क्वार्टर	40 सं० 1 से 40 16 सं० 41 से 56	टाइप I

[सं०. 25-5/69. एक]

रूप राम, अवर सचिव

MINISTRY OF AGRICULTURE (Department of Agriculture)

New Delhi, the 11th March, 1974

S.O. 892.—In pursuance of the provision of rule 45 of the Fundamental Rules, the President is pleased to make the following rules further to amend the Supplementary Rules issued with the Government of India, Finance Department letter No. 104-C/SR dated the 4th February, 1922.

In Part VIII of the the Supplementary Rule, the following Division shall be inserted at the end, namely:—

"DIVISION XXVI—AL"

Short title and commencement—S.R. 317—AJ—1.—(1) These rules may be called the allotment of Government Residences in the Forest Research Institute and Colleges, Dehra Dun, Forest Research Laboratory, Bangalore, Southern Forest Rangers College and Forest Research Centre, Coimbatore (Pool accommodation for Gazetted and non-Gazetted Government servants) Rules 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

Definitions—S.R. 317—AL—2.—In these rules, unless the context otherwise requires,

(a) "allotment" means the grant of a licence to occupy a residence in accordance with the provisions of these rules.

(b) "allotment year" means the year beginning on the 1st day of January or such other period as may be notified by the Estate Officer.

(c) "Dehra Dun", "Bangalore" and "Coimbatore" mean respectively the New Forest Estate, Dehra Dun, the campus of the Forest Research Laboratory Bangalore and Southern Forest Rangers College and Forest Research Centre, Coimbatore;

(d) "eligible office" means an office borne on the regular staff of the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore, or Southern Forest Rangers College and Forest Research Centre, Coimbatore which has been declared by the Central Government as eligible for accommodation under these rules;

(e) "emoluments" means the emolument as defined in Fundamental Rules 45-C, but does not include the compensatory allowances.

Explanation.—In the case of an officer, who is under suspension, the emoluments drawn by him on the first day of allotment year in which he is placed under suspension or if he is placed under suspension on the first day of the allotment year the emoluments drawn by him immediately before that date shall be taken as emoluments;

(f) "Estate Officer" means:—

(i) in relation to Dehra Dun the Registrar, Forest Research Institute and Colleges, Dehra Dun.

(ii) in relation to Bangalore, the Head of the Utilisation Research, Forest Research Laboratory, Bangalore, and

(iii) in relation to Coimbatore, the Principal, Southern Forest Rangers College, Coimbatore;

(g) "family" means the wife or husband, as the case may be, and children, step-children, legally adopted children, parents, brothers or sisters who ordinarily reside with, and are dependent on, the officer;

(h) "Government" means the Central Government;

(i) "Priority date" of an officer in relation to a type of residence to which he is entitled under the provision of S.R. 317-AL-4, means the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type of residence, in a post in the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore or the Southern Forest Rangers College, Coimbatore, or other Regional Centres under the President, Forest Research Institute and Colleges, except for the period of leave;

Provided that in the case of an officer on deputation to foreign service in an office under the Ministry of Agriculture at Dehra Dun or Coimbatore or Bangalore, on his reposting to the Forest Research Institute and Colleges, Dehra Dun or the Forest Research Laboratory, Bangalore or the Southern Forest Rangers College and the Forest Research Centre, Coimbatore, the period of foreign service shall be included for the purpose of determination of his priority date;

Provided further that in respect of type I, II or III residence, the date from which the officer has been continuously in service in the eligible office shall be his priority date for that type :

Provided also that where the priority date of two or more officers is the same, seniority among them shall be determined by the amount of emoluments the officers in receipt of higher emoluments taking precedence over the officer in receipt of lower emoluments and where the emoluments are equal by the length of service in eligible office :

(j) "Licence fee" means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of a residence allotted under these rules;

(k) "residence" means any residence for the time being under the administrative control of the Estate Officer, as specified in the Schedule appended to these rules;

(l) "subletting" includes sharing of accommodation by an allottee with another person with or without payment of licence fee by such other person.

Explanation:—Any sharing of accommodation by an allottee with near relation shall not be deemed to be subletting;

(m) "temporary transfer" means a transfer which involves an absence for a period of not exceeding four months;

(n) "transfer" means a transfer from Dehra Dun or Coimbatore or Bangalore to any other place or from the eligible office to an ineligible office and includes a transfer or reversion to service under a State Government or under a Union territory administration and also deputation to a post;

(o) "type" in relation to an officer, means the type of residence to which he is eligible under S.R. 317-AL-4.

Allotment to husband and wife eligibility in cases of officers who are married to each other S.R. 317-AL-3

(1) No officer shall be allotted a residence under these rules if the wife or the husband, as the case may be, of the officer has already been allotted a residence unless such residence is surrendered;

Provided that this sub-rule shall not apply where the husband and the wife are residing separately in pursuance of an order of judicial separation made by any court of law or where judicial proceedings for separation are under consideration of a court of law.

(2) Where two officers who are in occupation of separate residences allotted under these rules, marry each other, they shall within one month of their marriage, surrender one of the residences.

(3) If one of the residences is not surrendered as required by sub-rule (2), the allotment of the residence of the lower type, shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type, the allotment of such one of them as the Estate Officer may decide shall be deemed to have been cancelled on the expiry of such period.

(4) Where both the husband and the wife are employed in the eligible office at the same town, the title of each of them to allotment of a residence under these rules shall be considered independently.

Classification of residences—S.R. 317-AL-4

(1) Save as otherwise provided by these rules, an officer will be eligible for allotment of a residence of the type shown in the table below.

TABLE

Forest Research Institute and Colleges, Dehra Dun

Type of residence/Name of residence	No. of residence	Category of officer or his monthly emoluments as on the first day of the allotment year in which the allotment is made
1	2	3
I. Class IV Quarters	111—Single storey 40—Double storey	Below Rs. 100
For Non-gazetted staff		
II. Market quarters	11	Rs. 110 to 249
H. Type quarters	40	
G. Type quarters	28	
III. 'B' type quarters	65	Rs. 250 to Rs. 575
'C' type quarters	42	
Type III quarters	8	
'F' type quarters	8	
For gazetted staff class II and Junior class I		
IV. 'D-2' type Bungalows	12	Rs. 350 to Rs. 900
'A' type quarters	11	
'E' type hutments	12	
Hutments opposite Bungalow No. B-11	2	
'F' type quarters	12	
For gazetted staff Class I (Senior)		
V. 'C' type Bungalows	14	Rs. 700 to 899 Reserved for House tutor or Principal State Forest College.
'D' type bungalows	6	
Forest Cottage (City Section)	1	
VI. 'B' type bungalows	13	Rs. 900 to 1299
VII. 'A' type bungalows	4	Rs. 1300 and above.
VIII. President's bungalow No. 9	1	Reserved for President, Forest Research Institute and Colleges.

Southern Forest Rangers College and Research Centre Coimbatore

I. Servants Block	41	Below 110
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1	2	3
II. Curator's quarters	1	
Havildar's quarters (East)	1	
Havildar's quarters (West)	1	
Clerk's quarters	5	
Overseer's quarters	1	
Engine Driver's quarters	1	
III. Hostel Block No. 11	2	Rs. 110 to Rs. 249
IV. Lady Doctor's quarters	1	
Matron's quarters	1	
Old Commandant's Office	1	
V. Provincial Instructor's quarters	3	
Imperial Instructor's quarters	4	
VI. Principal's quarters	1	

Forest Research Laboratory, Bangalore

Classification as prescribed for Forest Research Institute and Colleges, Dehra Dun, will apply.

(2) In order to give an appropriate number of residences to the tenure or non-tenure officers in the Forest Research Institute and Colleges, Dehra Dun, the following will be the allocation of residences amongst the officers (excluding Bungalow No. 9 reserved for the President, Forest Research Institute and Colleges, Dehra Dun).

Tenure Class I Officers

- (i) Director of Forest Education and Director Forestry Research . . . 2 Type VII Bungalows.
- (ii) Registrar . . . 1 type VI 'B' Type Bungalows.
- (iii) Dean, Indian College Principal, Northern Forest Rangers College, Publicity and Liaison Officer and any other 3 officers, depending on their seniority . . . 6 Type VI Bungalows.
- (iv) Deputy Registrar . . . 1 Type V Bungalow (C)
- (v) For any 9 officers . . . 6 Type V Bungalows (C)
3 Type V Bungalows (D-1)
- (vi) House tutor or principal, State Forest College . . . 1 Type V Bungalow (Forest Cottage in Town)

Non-Tenure Class I Officers

- (i) For 2 Directors . . . 2 Type VII Bungalows.
- (ii) For 6 Senior Research Officers . . . 6 Type VI Bungalows.
- (iii) For any 10 officers . . . 7 Type V Bungalows (C)
3 Type V Bungalows (D-1)
- (iv) For any 3 officers . . . 3 Type IV bungalows (D-2)
- (v) Officer-in-Charge, Service Branch . . . 1 Type IV or V Bungalow.

Tenure Class II Officers

- (i) For any 2 officers (D2)
- (ii) For any 5 officers (E)
- (iii) For any 3 officers including Accounts Officers Forest Research Institute & Colleges. (A)

Non-Tenure Class II Officers

- (i) For any 6 officers (D2)
- (ii) For any 9 officers (E)
- (iii) For any 8 officers including one each to Mensuration officers and Assistant Registrar. (A)
- (iv) For any 12 officers including Physical Training and Games Instructors 12 type III quarters (F Type).
- (v) For one Medical Officer-in-charge, New Forest Hospital . . . 1 attached residence.

(3) The following officers are required to stay at the Campus in the public interest.

- (a) Director of Forestry Research (Central Silva)
- (b) Director of Forest Education.
- (c) Registrar.
- (d) Dean, Indian Forest College.
- (e) Deputy Registrar.
- (f) Principal, Northern Forest Rangers College.
- (g) Publicity and Liaison Officer.

(4) If accommodation of an officer's entitlement is made available in his order of seniority, he will be allowed a residence of next lower type and will have preference over those on the waiting list for that of bungalows as soon as the same falls vacant.

(5) The incumbants of the following posts shall be deemed to be tenure officers.

Forest Research Institute and Colleges, Dehra Dun

Sl. No.	Designation	Revised Pay scales
1	2	3
1.	Director of Forest Education . . .	1300-60-1600-100-1800.
2.	Director of Forestry Research . . .	1300-60-1600-100-1800.
3.	Dean, Indian Forest College . . .	1300-60-1600-100-1800.
4.	Editor, Editorial Board . . .	1300-60-1600-100-1800.
5.	Registrar, Forest Research Institute and College, Dehra Dun. . .	1100-50-1400.
6.	Deputy Registrar Research Institute and College, Dehra Dun. . .	700-1250.
7.	Assistant Silva (Experimental) . . .	700-1250.
8.	Minor Forest Products Officer . . .	700-1250.
9.	Assistant Silviculturist (General) . . .	700-1250.
10.	Principal, Northern Forest Rangers College . . .	700-1250.
11.	Logging Officer . . .	700-1250.
12.	Lecturers, Indian Forest College . . .	700-1250.
13.	Instructors, Northern Forest Ranger College . . .	700-1250.
14.	Publicity and Liaison Officer . . .	700-1250.
15.	Assistant Editor . . .	700-1250.
16.	Mensuration Officer, when held by a State Forest Officer on deputation basis . . .	700-1250.

1	2	3
17. Forest Utilisation Officer		700-1250.
18. Assistant Silviculturist (Plan Studies)		700-1250.
19. Southern Forest Rangers (Summarisation of Ledger files)		700-1250.
20. Senior Research Officer (Silviculture and Soil Section)		700-1250.
21. Senior Research Officer, Lecturer, Wild Life		700-1250.
22. Senior Research Officer (Forest Economic)		700-1250.
23. Accounts Officer		590-900 .
24. Research Officer (Logging) when held by a State Forest Officer on deputation basis		350-900.
25. Assistant Instructor, Northern Forest Rangers College		350-900.
Southern Forest Rangers College and Forest Research Centre, Coimbatore		
1. Head of Biological Research and Principal Southern Forest Rangers College and Forest Research Centre, Coimbatore		1300-60-1600-100-1800.
2. Instructors, Southern Forest Ranger College		700-1250.
3. Assistant Instructor -do-		350-900.

Allotment of residences and offers S.R. 317-AL-5

(1) Save as otherwise provided in these rules a residence, on falling vacant, will be allotted by the Estate Officer to any officer without accommodation in the type or equivalent type subject to the following conditions :—

(i) The Estate Officer shall not allot a residence of a type higher than that to which the officer is eligible under S.R. 317-AL-4.

(ii) The Estate Officer shall not compel any officer to accept a residence of a lower type than that to which he is eligible under S.R. 317-AL-4.

(iii) If accommodation of appropriate type is not available, the officer will be considered for a house of next lower type and will have preference over those on the waiting list for that type of bungalow as soon as the same falls vacant. If a bungalow in the next below type is not available, the officer may be provided with some accommodation in any lower type temporarily for a maximum period of six months during which period he will have to make his own arrangement for the accommodation so that, on the expiry of such period, if he does not get on, regular basis, a residence of his entitlement or in the next below type he has to vacate the said temporary accommodation.

(2) The Estate Officer may cancel the existing allotment of an officer and allot him as alternative residence of the same type or in emergent circumstances, an alternative residence of the type next below the type of residence in the occupation of the officer which is required to be vacated.

(3) A vacant residence may, in addition to allotment to an officer under sub-rule(1) be offered simultaneously to other eligible officer in order of their priority dates.

Out of turn allotment—S.R. 317-AL-6

The Estate Officer may make out-of-turn allotment to the son or daughter or wife of an officer in the following circumstances :—

(i) on the death of the officer.

(ii) on the termination of service of the officer due to his insanity or in other circumstances, when he has left the family in distress.

Provided that if the son, daughter or wife of the officer is appointed to any eligible office, and on the basis of his or her pay is entitled to be allotted the type of residence already occupied by him or her, then he or she shall be allotted that residence and in other cases he or she shall be allotted such type of residence as he or she is entitled to on the basis of emoluments drawn by him or her :

Provided further that no allotment under this rule shall be made to the son or daughter of the officer unless he or she was residing with the officer continuously for six months immediately before the death of the officer or the termination of service of the officer in the circumstances mentioned in clause (ii).

Non-acceptance of allotment of offer or failure to occupy the allotted residence after acceptance—S.R. 317-AL-7

(1) If an officer fails to accept the allotment of a residence within five days from the receipt of the allotment order or after acceptance fails to take possession of that residence within eight days from the date of receipt of the order of allotment, he shall not be eligible for another allotment being allotted another residence for a period of one year from the date of the allotment order.

(2) If an officer occupying a lower type residence is allotted or offered a residence of the type for which he is eligible under S.R. 317-AL-4 he may on refusal of the said allotment or offer of allotment, be permitted to continue in the previously allotted residence on the following conditions, namely :—

(a) that such an officer shall not be eligible for another allotment for a period of six months from the date of the allotment order for the higher class accommodation,

(b) while retaining the existing residence he shall be charged the same licence fee which he would have had to pay under FR-45-A in respect of the residence so allotted or offered or the licence fee payable in respect of the residence already in his occupation whichever is higher.

Period for which allotment subsists and the concessional period for further retention—S.R. 317-AL-8

(1) An allotment shall be effective from the date on which it is accepted by the officer and shall continue in force until—

(a) the expiry of the concessional period permissible under sub-clause (2) after the officer ceases to be on duty in the eligible office, or

(b) It is cancelled by the Estate Officer or is deemed to have been cancelled under any of the provision of these rules, or

(c) it is surrendered by the officer, or

(d) the officer ceases to occupy the residence.

(2) A residence allotted to an officer may, subject to sub-rule(3), be retained in the happening of any of the events specified in column 1 of the Table below for the period specified in the corresponding entry in column 2 thereof, provided the residence is required for the bonafide use of the officer or members of his family.

TABLE

Event	Permissible period for retention of the residence
(i) Resignation, dismissal, removal or termination of service or unauthorised absence without permission.	1 month.
(ii) Retirement or terminal leave	2 months.
(iii) Death of the allottee	4 months.
(iv) Transfer to a place outside Dehra Dun or Bangalore or Coimbatore.	2 months.
(v) Transfer to an ineligible office in Dehra Dun or Coimbatore or Bangalore.	2 months.
(vi) On proceeding on foreign service in India.	2 months.
(vii) Temporary transfer in India or transfer to a place outside India.	4 months.
(viii) Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave or study leave).	For the period of leave but not exceeding 4 months.
(ix) Leave preparatory to retirement or refused leave granted under FR-86.	For the full period of leave on full average pay subject to a maximum of 4 months inclusive of the period permissible in the case of retirement.
(x) Study leave or deputation outside India.	For the period of leave but not exceeding 6 months.
(xi) Study leave in India	For the period of leave but not exceeding 6 months.
(xii) Leave on medical grounds	For the full period of leave.
(xiii) On proceeding on training	For the full period of training

Explanation:—The period permissible on transfer mentioned against items (iv), (v) and (vii) of the Table shall count from the date of relinquishing charge plus the period of leave, if any sanctioned to and availed of by the officer before joining duty to the new office.

(3) Where a residence is retained under sub-rule (2) the allotment shall be deemed to be cancelled on the expiry of the admissible concessional period unless immediately on the expiry thereof the officer resumes duty in the eligible office

(4) An officer who has retained the residence by virtue of the concession under item (i) or item (ii) of the Table below sub-rule (2) shall, on re-employment in the eligible office within the period specified in the said Table, be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules :

Provided that if the emoluments of the officer on such re-employment do not entitle him to the type of residence occupied by him, he shall be allotted a lower type of residence.

(5) Notwithstanding anything contained in sub-rule (2) or sub-rule (3) or sub-rule (4), when an officer is dismissed or removed from service or when his services have been terminated and the Head of the Deptt. in respect of the office in which such officer was employed immediately before such dismissal, removal or termination is satisfied that it is necessary or expedient in the public interest so to do, he may require the Estate Officer to cancel the allotment of the residence made to such officer either

forthwith or with effect from such date prior to the expiry of the period of one month referred to in item (i) of the Table below sub-rule (2) as he may specify and the Estate Officer shall act accordingly.

Provisions relating to licence fee S.R. 317—AL—9:

(1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for licence fee shall commence from the date of acceptance.

(2) An officer who, after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the allotment order, shall be charged licence fee from such date upto a period of one month or upto the date of re-allotment of accommodation, whichever is earlier.

(3) The officer to whom a residence has been allotted is liable to pay the water and other conservancy charges as fixed from time to time along with the licence fee.

(4) Where an officer, who is in occupation of a residence, is allotted another residence and occupies the new residence, the allotment of the former residence shall be deemed to be cancelled from the date of occupation of the new residence. He may, however, retain the former residence without payment of licence fee for that day and the subsequent day for shifting.

Personal liability of the officer for payment of licence fee till the residence is vacated and furnishing of surety by temporary officers—S.R. 317—AL—10:

(1) The officer to whom a residence has been allotted shall be personally liable for the licence fee thereof and for any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings or services provided therein by Government during the period for which the residence has been and remains allotted to him, or where the allotment has been cancelled under any of the provisions in these rules, until the residence alongwith the out-houses appurtenant thereto have been vacated and full vacant possession thereof has been restored to Government.

(2) Where the officer to whom a residence has been allotted is neither a permanent or a quasi-permanent Government servant, he shall execute a security bond in the form prescribed in this behalf by the Central Government with a surety who shall be a permanent Government servant serving under the Central Government, for due payment of licence fee and other charges due from him in respect of such residence, and services and any other residence provided in lieu.

(3) If the surety ceases to be in Government service or becomes insolvent or withdraws his guarantee or ceases to be available for any other reason, the officer shall furnish a fresh bond executed by another officer (surety) within thirty days from the date of his acquiring knowledge of such event or fact and if he fails to do so, the allotment of the residence to him shall unless otherwise decided by the Estate Officer be deemed to have been cancelled with effect from the date of that event.

Surrender of an allotment and period of notice—S.R. 317—AL—11:

An officer may at any time surrender an allotment by giving intimation so as to reach the Estate Officer at least ten days before the date of vocation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the eleventh day after the day on which the letter is received by the Estate Officer or the date specified in the letter, whichever is later. If the officer fails to give due notice he shall be responsible for payment of licence fee for ten days or the number of days by which the notice given by him falls short of ten days unless the Estate Officer accepts the notice for a shorter period.

Change of residence—S.R. 317—AL—12:

(1) An Officer to whom a residence has been allotted under these rules may apply for a change to another residence of the same type. Not more than one change shall be allowed in respect of one type of residence allotted to the officer.

(2) Changes shall be offered in the order of receipt of applications for the same in the office of the Estate Officer in special cases.

(3) If an officer fails to accept a change of residence offered to him within five days of the issue of such offer of allotment, he shall not be considered again for a change of residence of that type.

Change of residence in the event of death of a member of the family—S.R. 317—AL—13.

Notwithstanding anything contained in SR—317—AL—12 an officer may be allowed a change of residence on the death of any member of his family if he applies for change within three months of such occurrence, provided that the change will be given in the same type of residence and on the same floor as the residence already allotted to the officer.

Mutual exchange of residence—S.R. 317—AL—14.

Officers to whom residences of the same type have been allotted under these rules may apply for permission to mutually exchange their residence. Permission for mutual exchange may be granted if both the officers are reasonably expected to be on duty in the eligible officer and to reside in their mutually exchanged residences for at least six months from the date of approval of such exchange. Mutual exchange in different types of accommodation shall not be permitted.

Maintenance of residence—S.R. 317—AL—15.

The officer to whom a residence has been allotted shall maintain the residence and premises in a clean condition to the satisfaction of the Central Public Works Department, the Estate Officer and the concerned Medical Officer or Health Officer as the case may be.

Such officer shall not grow any tree, shrubs or plants contrary to the instructions issued by the Estate Officer or Central Public Works Department nor cut or lop off any existing tree or shrub in any garden courtyard or compound attached to the residence save with prior permission in writing of the Estate Officer. Trees, plantation or vegetation, grown in contravention of this rule may be caused to be removed by the Estate Officer at the risk and cost of the officer concerned. The trees or shrubs so cut shall be disposed of by the Estate Officer.

Subletting and sharing of residences—S.R. 317—AL 16.

(1) No officer shall share the residence allotted to him or any of the out-houses, garges and stables appurtenant thereto with any other person other than an officer. The servants' quarters, out-houses and garages may be used only for the bonafide purposes, including residence of the servants of the allottee or for such other purposes as may be permitted by the Estate Officer.

2. No officer shall sublet the whole of his residence:

Provided that an officer proceeding on leave may accommodation in the residence any other officer eligible to share Government accommodation, as a caretaker, for the period specified in sub-rule (2) of SR—317—AL—8 but not exceeding six months.

(3) An officer who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any licence fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by Government beyond fair wear and tear.

Consequences of breach of rules and conditions—S.R. 317—AL—18.

(1) If an officer to whom a residence has been allotted unauthorisedly sublets the residence or charges licence fee from the sharer at a rate which the Estate Officer considers excessive or erects any unauthorised structure in any part of the residence or uses the residences or any portion thereof for any purposes other than that for which it is meant or tempers with the electric or water connection or commits any other breach of the rules or of the terms and conditions of the allotment or uses the residence or premises or permits

or suffers the residence or premises to be used for any purpose which the Estates officer considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Estate officer may, without prejudice to any other disciplinary action that may be taken against him cancel the allotment of the residence.

Explanation.—In this sub-rule, the expression 'Officer' includes a member of his family and any person claiming through the officer.

(2) If an officer sublets a residence allotted to him or any portion thereof or any of the out-houses, garages or stables appurtenant thereto, in contravention of these rules, he may, without prejudice to any other action that may be taken against him, be charged enhanced licence fee not exceeding four times the standard licence fee under FR—45—A. The quantum of licence fee to be recovered and the period for which the same may be recovered in each case will be decided by the Estate Officer on merits. In addition, the officer may be debarred from sharing the residence for such specified period in future as may be decided by the Estate Officer.

(3) Where action to cancel the allotment is taken on account of unauthorisedly subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee or any other person residing with him therein to vacate that premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of sixty days from the date of the order for the cancellation of the allotment, whichever is earlier.

(4) Where the allotment of a residence is cancelled for a conduct prejudicial to the maintenance of harmonious relations with neighbours the officer, at the discretion of the Estate Officer, may be allotted another residence of the same type at any other place.

(5) The Estate Officer shall be competent to take all or any of the action under sub-rules(1), (2) (3) and (4) of this rule and also to declare the officer who commits a breach of the rules and instructions issued to him, to be ineligible for allotment of residential accommodation for a period not exceeding three years.

Overstayal in residence after cancellation of allotment S.R. 317—AL—19.

Where, after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains or has remained in occupation of the officer to whom it was allotted or of any person claiming, through him, such officer shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges equal to the market licence fee as may be determined by Government from time to time:

Provided that an officer, in special cases, may be allowed by the Estate Officer to retain a residence on payment of twice the standard licence fee under FR—45—A, whichever is higher, for a period not exceeding six months beyond the period permitted under sub-rule(2) of S.R. 317—AL—8.

Continuance of allotments made prior to the issue of these rules—S.R. 317—AL—20.

Any valid allotment of a residence which is subsisting immediately before the commencement of these rules under the rules then in force shall be deemed to be an allotment duly made under these rules notwithstanding that the officer to whom it has been made is yet entitled to a residence of the type under S.R. 317—AL—4 and all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly.

Interpretation of rules S.R. 317—AL—21.

If any question arises as to the interpretation of the rules in this Division, the decision of Government thereof shall be final.

Relaxation of rules—S.R. 317—AL—22.

Government may for reasons to be recorded in writing relax all or any of the provision of the rules in this Division in the cases of any officer or residence or class of officers or type of residence.

Delegation of powers or functions—S.R. 317—A1—23.—Government may delegate any or all the powers conferred upon it by the rules in this Division to any officer under its control subject to such conditions as it may deem fit to impose.

SCHEDULE

Schedule of residence indicating the number of residences in each type their identification and classification etc.

Type of accommodation	No. of residences	Identification	Classification
President's bungalow	1	No. 9	Type VIII
'A' Type bungalows	4	No. 13 to 16	Type VII
'B' Type bungalows	13	No. 1 to 8 No. 10 to 12 No. 17 to 18	Type VI
'C' Type bungalows	14	No. 19 to 32	Type V
'D-1' Type bungalows	6	No. 45 to 50	Type V
'Forest Cottage' in City 28— E.C. Road, Dehra Dun.	1	-	-
'D-2' Type bungalows	12	No. 33 to 44	Type IV
'A' Type quarters	11	No. 1 to 11	Type IV
'E' Type Hutments 12 sister's quarters plus 2 sets (old officers block) opposite B/11 (3 roomed).	14	Set 1, 2 and 3 in Block 82 Set 1, 2 and 3 in Block 83 Set 1, 2 and 3 in Block 4 Set 1, 2 and 3 in Block 2 Set 1, 2 in Block 5 Set 1 and 2 in Officer Block	T Y P E IV
Medical Officer's residence in the Northern Forest Hospi- tal.	1	-	-
'B' type quarters	65	No. 12 to 75	Type III
'C' type quarters	42	No. 76 to 117	Type III
'F' type quarters	28	No. 29 to 56	Type III
Market quarters	11	No. 1 to 11	Type II
'G' type quarters	28	No. 1 to 28	Type II
'H' type quarters	40	No. 119 to 158	Type II
Old Class IV quarters	111	No. 1 to 11	Type I
New Double Storeyed quarters	40 16	No. 1 to 40 No. 41 to 56	Type I

[No. 25-5169-F]

RUP RAM, Under Secy.

नई दिल्ली, दिनांक 16 मार्च, 1974

क्रा० प्रा० 893.—पशु कृषि विभाग अधिनियम, 1960 (1960 का 59) की धारा 4 और 5 की उप-धारा (1) तथा धारा 7 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार भारत सरकार के अनुपूर्व खाद्य तथा कृषि मंत्रालय (कृषि विभाग) की अधिसूचना संख्या एम० प्रा० 921, दिनांक 20 मार्च, 1962 को प्राप्ति और संशोधित करने के लिए एतद्वारा निम्नलिखित संशोधन करनी है अर्थात्—

157 G of I/73—5

उक्त अधिसूचना में—

(क) पैरा 1 में संद संख्या 1 से 23 और उक्त संशोधित प्रतिष्ठितों में निम्नलिखित प्रतिस्थापित किया जायेगा, अर्थात्—

संख्या	कार्य-भार ग्रहण की तारीख	श्रेणी
1	2	3
1. "युन महाविश्वविद्यालय, भारत सरकार		धारा 5(1)(क) के अन्तर्गत पदेन सदस्य।
2. पशुपालन आयोग, भारत सरकार		धारा 5(1)(ख) के अन्तर्गत पदेन सदस्य।
3. डा० बी० एम० अलवर, 23 नवम्बर, 1971		धारा 5(1)(ग) के अन्तर्गत पशु-चिकित्सा चिकित्सा संघ मद्रास व्यवसायियों के संघ के प्रतिनिधि।
4. श्री पी० एन० बी० कुरुप, 5 जुलाई, 1971		आधुनिक और देशीय चिकित्सा प्रणालियों के व्यवसायियों के प्रतिनिधि जिन्हें भारत सरकार ने धारा 5(1)(घ) के अन्तर्गत नामांकित किया है।
5. डा० एम० बागची	24 मई, 1971	नगर निगमों के प्रतिनिधि जिन्हें उक्त निगमों में से प्रत्येक ने धारा 5(1)(हा०) के अन्तर्गत चुना है।
6. श्री श्रीम प्रकाश जैन	23 नवम्बर, 1971	
7. श्री बी० अतलबखान	23 नवम्बर, 1971	
8. श्री जयन्ती लाल तारक लाल मांकर, अधिवक्ता सचिव, बम्बई ह्यूमनिटेरियन लीग 149 गणपत बाजार बरबई-2	19 मार्च, 1971	पशु कल्याण में रुचि लेने वाले संगठनों के प्रतिनिधि जिन्हें उक्त संगठनों में से प्रत्येक ने धारा 5(1)(च) के अन्तर्गत चुना है।
9. श्री प्रबुध्व चटर्जी, 30, चौरंगी मेन्शन, काटड म्हीट, कलकत्ता-16	7 मई, 1971	
10. डा० जे० डी० जैन, अध्यक्ष, श्री विगम्बर जैन बालबोधिनी गंगा, महारनपुर	23 नवम्बर, 1971	
11. श्री निषक राज, सचिव पशु कृषि विभाग समिति अमृतसर	23 नवम्बर, 1971	पशु कृषि विभाग संबंधी समितियों के प्रतिनिधि जो धारा 5(1)(छ) के अन्तर्गत चुने गये हैं।
12. श्रीमती शिन्तो जयगाम पशु कृषि विभाग समिति बंगलौर	23 नवम्बर, 1971	
13. श्री एम० आर० कोमली सचिव, पशु कृषि विभाग समिति, हैदराबाद	23 नवम्बर, 1971	

1	2	3	1	2	3
14. श्रीमती रुक्मिणी देशी अरुण्डेल	19 मार्च, 1971	केन्द्रीय सरकार द्वारा धारा 5(1) (अ) के अंतर्गत नामित किए गए हैं ।	20. श्री नाथू राम अहिरवार, संसद सदस्य (लोक सभा)	29 नवम्बर, 1973	राज्य सभा से धारा 5(1) (ख) के अंतर्- गत चुने गए हैं ।
15. श्री जी० आर० राजगोपाल	19 मार्च, 1971		21. श्री वनमाली पटनायक, संसद सदस्य (लोक सभा)	29 नवम्बर, 1973	
16. श्री बी० आर० कृष्ण आयर, सदस्य, विधि आयोग, शास्त्री भवन, नई दिल्ली-1 (अब उच्चतम न्यायालय में न्यायाधीश)	23 नवम्बर, 1971		22. श्री महादीपक मिश्रा, संसद सदस्य (लोक सभा)	29 नवम्बर, 1973	

(ख) पैरा 3 में "खाद्य तथा कृषि मंत्रालय, कृषि विभाग में पशुधन विकास के प्रभारी उप-सचिव" शब्दों के स्थान पर "निदेशक (पशु पालन और राज्य सम्पर्क) कृषि मंत्रालय (कृषि विभाग)" शब्द प्रतिस्थापित किए जायेंगे ।

[संख्या 14-27-73 एल०डी० 1]

का० मु० अन्नमद, संयुक्त सचिव

New Delhi, the 16th March, 1974

S.O. 893.—In pursuance of sub-section (1) of section 4, section 5 and sub-section (1) of section 7 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following amendments further to amend the notification of the Government of India in the late Ministry of Food and Agriculture (Department of Agriculture), No. S.O. 921, dated the 20th March, 1962, namely :—

In the said notification :—

(a) in paragraph 1, for items 1 to 23, and entries relating thereto, the following shall be substituted, namely :—

Members	Date of assumption of office	Category
1	2	3
"1. The Inspector General of Forests, Government of India.		Ex-officio under section 5(1)(a).
2. The Animal Husbandry Commissioner to the Government of India.		Ex-officio under section 5(1)(b).
3. Dr. V.S. Alwar, General Secretary, Indian Veterinary Association, Madras.	23rd November, 1971.	Representative of the association of veterinary practitioners under section 5(1)(c).
4. Dr. P.N.V. Kurup, Ministry of Health, New Delhi	5th July, 1971	Representatives of practitioners of modern and indigenous systems of medicine, nominated by the Central Government under section 5(1)(d).
5. Dr. S. Begehi	24th May, 1971	Representatives of the municipal corporations elected by each of the said corporations under section 5(1)(e).
6. Shri Om Prakash Jain	23rd November, 1971	
7. Shri. V. Dhanasekaran	23rd November, 1971	
8. Shri Jayantilal Naradlal Mankar, Honorary Secretary, Bombay Humanitarian League, 149, Shroff Bazar, Bombay-2.	19th March, 1971	Representatives of the organisations actively interested in animal welfare chosen by each of the said organisation : under section 5(1)(f).
9. Shri Prabudha Chatterjee, 30, Chowranghee Man-Balbodhne sions, Kyd Street, Calcutta-16.	7th May, 1971	
10. Dr. J. D. Jain, President, Shri Digambar Jain Sabha, Saharanpur.	23rd November, 1971	
11. Shri Tilak Raj, Secretary, Society for Prevention of Cruelty to Animals, Amritsar.	23rd November, 1971	Representatives of the societies dealing with prevention of cruelty to animals chosen under section 5(1)(g).
12. Smt. Vinoo Jayaram, Society for Prevention of Cruelty to Animals, Bangalore.	23rd November, 1971	
13. Shri S.R. Kimtee, Secretary, Society for Prevention of Cruelty to Animals, Hyderabad.	23rd November, 1971	

1	3	3
14. Smt. Rukmani Devi, Arundale	19th March, 1971	6Nominated by the Central Government under Section 5 (1)(h).
15. Shri G.R. Rajgopal	19th March, 1971	
16. Shri V.R. Krishna Iyer, Member, Law Commission, Shastri Bhavan, New Delhi-1 (now Judge Supreme Court)	23rd November, 1971	
17. Shri Bhole Prasad, M.P. (Rajya Sabha), New Delhi.	11th May, 1971	Six Members of Parliament, four elected by the House of the People (Lok Sabha), and two by the Council of States (Rajya Sabha), under section 5(1)(i).
18. Smt. Kumudhen Manishanker Joshi, M.P. (Rajya Sabha)	4th December, 1973.	
19. Shri Achal Singh, M.P. (Lok Sabha)	29th November, 1973	
20. Shri Nathu Ram Ahirwar, M.P. (Lok Sabha)	29th November, 1973	
21. Shri Banamali Patnaik, M.P. (Lok Sabha)	29th November, 1973	
22. Shri Mahadcepak Singh Shakya, M.P. (Lok Sabha)	29th November, 1973	

(b) In paragraph 3 for the words "the Deputy Secretary incharge of Livestock Development in the Ministry of Food and Agriculture, Department of Agriculture", the words "Director (Animal Husbandry and State Liaison). Ministry of Agriculture (Department of Agriculture)" shall be substituted.

[No. 14-27/73-L. D. I]

Q. M. AHMED, Joint Secy.

(Department of Food)

ERRATA

New Delhi, the 23rd March, 1974

S.O. 894.—In the notification of the Government of India in the Ministry of Agriculture (Department of Food) No. S.O. 75(E) dated the 31st January, 1974, published at pages 159 to 161 of the Gazette of India Extraordinary—Part II, Section 3, Sub-section (ii) dated the 31st January, 1974:—

(1) at page 160,

(i) under the heading "Zone 'C'", in the column-head "By wholesaler", in item (b), against 1.0, for "8.01", read "8.81";

(ii) under the heading "Zone 'D'", in the column-head "By retailer", in item (d), against the entry "Per kilogram, net", for "7.8"; read "7.89";

(2) at page 161, under the heading "Zone 'G'", in the column-head "By wholesaler", in item (a), against 4.0, for "38.37" read "33.37".

[No. 12-2/74-C&P]

F. G. T. MENEZES, Director
Vanaspati

- | | |
|---|--------------------------------|
| 7. सचिव, नौवहन और परिवहन मंत्रालय अथवा उसके द्वारा नामित किया गया अधिकारी जिसका पद संयुक्त सचिव से नीचे न हो। | } केन्द्रीय सरकार के प्रतिनिधि |
| 8. सचिव, वाणिज्य मंत्रालय, अथवा उसके द्वारा नामित अधिकारी जिसका पद संयुक्त सचिव से कम न हो। | |
| 9. श्री एम० बी० भावे | |
| 10. श्री बाई० कृष्णन | } पोत स्वामियों के प्रतिनिधि |
| 11. रियर एडमिरल एन० पी० वत्ता ए० बी० एम० एम०। | |
| 12. अध्यक्ष शिपिंग कारपोरेशन आफ इंडिया | |
| 13. श्रीमती सुमति सुगरजी | } नाविकों के प्रतिनिधि |
| 14. श्री बसंत जे. शेट | |
| 15. कप्तान जे० सी० आनन्द | |
| 16. श्री जे० आर० रंजरी | } अन्य हित |
| 17. श्री ल्यू वारनेन | |
| 18. श्री असीन मित्र | |
| 19. श्री के० के० आइलकर | } |
| 20. श्री डी० एम० पाण्डे | |
| 21. श्री बी० डी० चौगुले | |
| 22. श्री हरीश सी० मोहन्दा | |

2. केन्द्रीय सरकार श्री एन० के० गोपालन नेयर, उप-नौवहन महा-निदेशक को एतद्वारा उक्त बोर्ड का सचिव नियुक्त करती है।

[सं० 37-एम डी(10)/73]

ब० कृ० राहो, अवर सचिव

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 13 मार्च, 1974

का० आ० 895.—राष्ट्रीय नौवहन बोर्ड नियम, 1960 के नियम 3 के साथ पठित व्यापार पोत अधिनियम 1958 (1958 का 44) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक राष्ट्रीय नौवहन बोर्ड की स्थापना करती है जिसके निम्नलिखित सदस्य होंगे और संसद सदस्य श्री सी० एम० स्टीफन को उक्त बोर्ड के अध्यक्ष मनोनीत करती है, अर्थात्:—

- | | |
|----------------------------|------------------------------|
| 1. श्री सी० एम० स्टीफन | } लोक सभा द्वारा निर्वाचित |
| 2. डा० कैलाश | |
| 3. श्री मुम्मद इस्माईल | |
| 4. श्री आर० बी० स्वामीनाथन | |
| 5. श्री सरदार अमजद अली | } राज्य सभा द्वारा निर्वाचित |
| 6. श्री टी० के० श्रीनिवासन | |

MINISTRY OF SHIPPING AND TRANSPORT
(Transport Wing)

New Delhi, 13th March, 1974

S.O. 895.—In exercise of the powers conferred by section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 3 of the National Shipping Board Rules, 1960, the Central Government hereby establishes a National Shipping Board consisting of the following members and nominates Shri C.M. Stephen, M.P., to be the Chairman of the said Board, namely:—

- | | |
|--------------------------|-------------------------|
| 1. Shri C.M. Stephen | } Elected by Lok Sabha. |
| 2. Dr. Kailash | |
| 3. Shri Mohammad Ismail. | |
| 4. Shri R.V. Swaminathan | |

- | | | |
|---|---|-------------------------------------|
| 5. Shri Sardar Amjad Ali | } | Elected by Rajya Sabha |
| 6. Shri T.K. Srinivasan | | |
| 7. Secretary, Ministry of Shipping & Transport or an Officer not below the level of Joint Secretary nominated by him. | } | Central Government Representatives. |
| 8. Secretary, Ministry of Commerce, or an Officer not below the rank of Joint Secretary nominated by him. | | |
| 9. Shri S.V. Bhawe | | |
| 10. Shri Y. Krishan | | |
| 11. Rear Admiral N.P. Datta, AVSM. | | |
| 12. Chairman, Shipping Corporation of India. | | |
| 13. Smt. Sumati Morarjee | } | Representatives of Shipowners. |
| 14. Shri Vasant J. Sheth | | |
| 15. Cap. J.C. Anand | | |
| 16. Shri J. D. Randeri | } | Representatives of Seamen |
| 17. Shri Leo Barnes | | |
| 18. Shri Asit Mitra | | |
| 19. Shri K.K. Khadilkar | } | Other Interests. |
| 20. Shri D.M. Parekh | | |
| 21. Shri V.D. Chowgule | | |
| 22. Shri Harish C. Mohindra | | |

2. The Central Government hereby appoints Shri N.K. Gopalan Nair, Deputy Director General of Shipping, to be the Secretary of the said Board.

[No. 37-MD(10)/73]

B. K. SAHI, Under Secy.

आदेश

नई दिल्ली, 23 मार्च, 1974

का० प्रा० 896.—व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 7 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार एनद्वारा निर्देश देती है कि उक्त अधिनियम की धारा 298 की उप-धारा (2) तथा धारा 454ए द्वारा प्रयोग को जाने वाली शक्तियों का नौवहन महानिदेशक द्वारा भी प्रयोग किया जा सकेगा।

[स० 11-एम० टी० प्रो (47)/73-एम०ए]

श्री० वी० सुब्रह्मण्यम, उप सचिव,

ORDER

New Delhi, the 23rd March, 1974

S.O. 896.—In exercise of the powers conferred by sub-section (2) of section 7 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby directs that the powers exercisable by it under sub-section (2A) of section 298 and section 454A of the said Act shall be exercisable also by the Director General of Shipping.

[No. 11-MTO (47)/73-M.A]

V. V. SUBRAHMANYAM, Dy. Secy.

अथ संवाक्य

आदेश

नई दिल्ली, 25 फरवरी, 1974

का० प्रा० 897.—यतः केन्द्रीय सरकार की राय है कि हमसे उपाखण्ड अनुसूची में विनिर्दिष्ट विषयों के बारे में भारतीय सेन्ट्रल बैंक के

प्रबन्धन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एनद्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री उपदेश नारायण माथुर होंगे जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या श्री छोट्ट गिट्ट आर्म्ड गार्ड उस तारीख से जिस तारीख को श्री प्रहलाद सिंह को अगस्त, 1972 में चालक का विशेष भत्ता अनुज्ञान किया गया है, विशेष भत्ता का हकदार है? यदि नहीं तो वह किस अनुसूची का हकदार है?”

[सं० एल० 12012/142/73-एम० आर० III]

पी पी कन्थम, अवर सचिव

MINISTRY OF LABOUR

ORDER

New Delhi, the 25th February, 1974

S.O. 897.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Updesh Narain Mathur shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether Shri Chhotu Singh, Armed Guard is entitled for special allowance with effect from the date Shri Prahalad Singh has been allowed special allowance as Driver in August, 1972? If not, to what relief is he entitled?”

[No. L. 12012/142/73/1 R III]

New Delhi, the 23rd March, 1974

S.O. 898.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by Shri C. T. Chelliah ex-employee of the Bank of Madura Limited which was received by Central Government on the 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS
Complaint No 8 of 1973 in Industrial Dispute No. 1 of 1973.
BETWEEN

Thiru C. T. Chelliah, 9/21, Jawaharlal Street, Kandanur,
 Ramnad District—Complainant.

AND

The management of Bank of Madura Limited, 33, North
 Chitrai Street, Madurai—Opposite party.

**Complaint under section 33-A of the Industrial Disputes
 Act, 1947.**

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvallargal, A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiru M. R. Narayanaswami, Advocate for the opposite party and having stood over till this day for consideration, this Tribunal made the following :—

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 22-7-1972 and that was discharging the regular clerical duties in the Bank for about 12 months and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerk during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complaint is that the opposite party by the order No. C.O. Sif. 3379/73 dated 26-7-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any mis-conduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one month's notice on either side. Ex. M-2

is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank at the close of business on 31-7-1973 as his performance during the apprenticeship period is not satisfactory.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows :—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal), shall adjudicate upon the complaint as if it were a dispute referred to or pending before, it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is :

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator) or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
 - (a) in regard to any matter connected with the dispute alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
 - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice clerk in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-I-L.L.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But

the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.
3. Your accounts will be settled after checking your commitments.

Yours faithfully,

AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"As your performance during the apprenticeship period is not satisfactory, your services are no longer required and the Chairman has ordered for your relief. Accordingly you will be relieved from the Bank's service as at the close of business on 31-7-1973."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the overall result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct.

Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965-I-L.L.J page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice.

8. The learned counsel for the complainant referred me to a decision reported in 1966-I-L.L.J at page 400 (Utkal Machinery, Ltd. Vs. Santi Patnaik Miss). My attention has to be drawn to the following observation, which reads as follows:—

"In the absence of any standing order the unsatisfactory work of an employee may be treated as misconduct and when the respondent was discharged according to the management for unsatisfactory work it should be taken that her discharge was tantamount to punishment for an alleged misconduct."

9. The learned counsel for the management argued that this observation should not be taken into consideration, because it was an observation made with reference to a decision concerned in a reference under section 10(1) of the Industrial Disputes Act and the context in which it has been made should be taken into consideration and the observations relied upon by the complainant's counsel cannot be applied to the facts of our case. There is considerable force in this argument. Further in a later case, reported in 1972-I-L.L.J which arose directly for consideration of Section 33-A and Section 33 Their Lordships of the Supreme Court have observed as follows at page 509:—"The fact that the employer is not fully satisfied with the overall result of the performance of his duties by his employee does not necessarily imply misconduct on his part." The order seen in Ex. M-2 namely, performance during the apprenticeship was not satisfactory cannot denote misconduct. Generally in writing confidential sheets of employees, the administrative head of office or the concerned Officer would give his remarks with regard to his work, conduct and character. In some cases, the work may be unsatisfactory and at the same time his conduct and character may be good. In some cases, the concerned workman and the clerk may be very efficient in their duties, but at the same time their conduct and character may be bad. So unsatisfactory work does not necessarily mean misconduct on the part of the employee.

10. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer

WITNESSES EXAMINED

For both sides : None.

DOCUMENTS MARKED

For worker : Nil.

For management :

Ex. M-1/22-7-72—Order of appointment issued to the complainant.

Ex. M-2/26 7-73—Order of termination issued to the complainant.

T. PALANIAPPAN, Presiding Officer.

Note : The parties are directed to take return of their documents within six months from the date of the award.

[No. L. 12025/18/74/IRIII]

S.O. 899.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the Kharonia and Gaurishankar Mica Mines of Messrs Gurcharan Ram & Sons, Mica Mine Owners, Post Office, Jhumritelaiya, District Hazaribagh and their workmen, which was received by the Central Government on the 15th March, 1974.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 1, AT DHANBAD

In the matter of a reference under section 10(i)(d) of the Industrial Disputes Act, 1947.

Reference No. 4 of 1973

Parties :

Employers in relation to the Kharonia and Gaurishankar Mica Mines owned by Messrs Gurcharan Ram and Sons, Mica Mine Owners, Post Office Jhumritelaiya, District Hazaribagh and their workmen.

Present :

Mr. Justice D. D. Seth (Retd.), Presiding Officer.

Appearances :

For the Employer.—Shri Parmeshwar Prasad, Partner, Gurcharan Ram and Sons.

For the Workmen.—Shri Shankar Dayal Singh, President, Metalliferous Mines Workers and Officials Association

AND

Shri Bhubaneswar Singh, General Secretary, Abrak Mazdoor Panchayat.

State : Bihar

Industry : Mica.

AWARD

The present reference arises out of Order No. L-29011/4/72-LR.IV., dated New Delhi, the 17th January, 1973 passed by the Central Government in respect of an Industrial Dispute between the parties mentioned above. The Subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows:—

“Whether the demand of the workmen employed in Kharonia and Gaurishankar Mica Mines of Messrs. Gurcharan Ram and Sons, Mica Mine Owners, Post Office Jhumritelaiya, District Hazaribagh for payment of bonus (20% of the wages earned by them for the accounting years 1968, 1969 and 1970 is justified? If not, to what quantum of bonus are the workmen entitled for each of the above three years?”

2. The dispute has been settled out of Court. A memorandum of settlement, dated the 11th March, 1974 has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the Memorandum of Settlement. I accept

it and make an award accordingly. The memorandum of settlement shall form part of the award.

Let a copy of this award be sent to the Ministry as required under section 15 of the Industrial Disputes Act, 1947.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

Reference No. 4 of 1973

Parties to the dispute :

M/s. Gurcharan Ram & Sons, Owners of Mica Mines, P.O. Jhumritelaiya, District Hazaribagh, Bihar.

AND

Their workmen, represented by Metalliferous Mines Workers Association, P.O. Kodarma, District Hazaribagh and Metalliferous Mine Officials Association, Kodarma, District Hazaribagh, and Abrak Mazdoor Panchayat, P.O. Jhumritelaiya, District Hazaribagh.

Most respectfully, the petitioners beg to submit as under :—

1. That they have been negotiating directly for an amicable settlement of the dispute pending adjudication before the honourable court.

2. That they have since agreed to settle the dispute on the following terms, without prejudice to the stand taken by each party in the instant dispute :

(a) That the management shall pay to the entitled workmen an ex-gratia payment (6% of the total earnings of such workmen in addition to the bonus already paid (Rs. 4% in respect of each accounting year commencing in the years 1968, 1969 and 1970.

(b) That the above ex-gratia payment shall be made to all the entitled workmen who were on the roll of the employers as on 31-12-1972.

(c) That the above mentioned ex-gratia payment shall be made in three instalments to be paid in the month of August, 1974, October 1974 and December, 1974.

The petitioners therefore pray this honourable court to accept this compromise settlement and pass an award on the same basis as the parties are convinced that the same is fair and just.

For and on behalf of
Workmen

For and on behalf of
Management.

Sd/-
President,
Met. Mines Workers
and Officials
Association
Kodarma.

Sd/-
Genl. Secretary,
Abrakh Mazdoor,

Panchayat,
Jhumritelaiya.

Sd/-
Partner
Gurcharan Ram &
Sons, Jhumritelaiya.

D. D. SETH, Presiding Officer.

Dhanbad, the 11th March, 1974

[No. L-28011/4/72-LR.IV]

S.O. 900.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras in respect of a complaint under Section 33-A of the said Act filed by A. V. Rama ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 2 of 1973 in Industrial Dispute No. 1 of 1973

Present :

Thiru T. Palaniappan, B.A., B.L., Industrial Tribunal.

BETWEEN

A. V. Rama, C/o. Bank of Madura Ltd.,
Royapettah High Road,
Madras.

... Complaint.

AND

The management of Bank of Madura Limited,
33, North Chitral Street Madurai. ... Opposite party.

Complaint under section 33-A of the Industrial Disputes Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvallargal, A. I. Somayaji and R. Jamal Nazzen, Advocates for the complainant and of Thiruvallargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 1031/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court that her services were terminated by way of victimisation and for ulterior motives and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary ob-

jection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. This management alone filed two documents marked as Ex. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
- (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceedings; or
- (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-1-L.J.—

page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

(Thru: The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,

AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision, Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned Counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer

has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the overall result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965-I-L.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer

WITNESSES EXAMINED

For both sides.—None.

DOCUMENTS MARKED

For worker.—Nil.

For management :

Ex. M-1/21-6-72.—Order of appointment issued to the Complainant.

Ex. M-2/2-4-73.—Order of termination issued to the Complainant.

T. PALANIAPPAN, Presiding Officer

Madras, the 20th February, 1974

Note: The parties are directed to take return of their documents within six months from the date of the award.

[No. L. 12025/16/74/LRIII]

S.O. 901.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by S. V. Visalakshi ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**PRESENT**

Thiru T. Palaniappan, B.A., B.L., Industrial Tribunal.

Complaint No. 3 of 1973 in Industrial Dispute No. 1 of 1973

BETWEEN

S. Visalakshi, C/o Bank of Madura Limited, Devakottai.
.....Complainant.

AND

The management of Bank of Madura Limited, 33, North Chitral Street, Madurai.....Opposite party.

Complaint under section 33-A of the Industrial Disputes Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvallargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiruvallargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following :—

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 1030/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the

complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
 - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
 - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—I.L.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and

Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with Air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated, June 19, 1965

(Thru: The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,

AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the

complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—L.L.J page 422 (Murugan Mills Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

WITNESSES EXAMINED

For both sides.—None.

DOCUMENTS MARKED

For worker.—Nil.

For management :

Ex. M-1/21-6-72.—Order of appointment issued to the Complainant.

Ex. M-2/2-4-73.—Order of termination issued to the complainant.

NOTE : The parties are directed to take return of their documents within six months from the date of the award.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Presiding Officer

New Delhi, the 23rd March, 1974

S.O. 902.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33A of the said Act filed by S. Aruna Devi ex-employee of the Bank of Madurai Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 4 of 1973 in Industrial Dispute No. 1 of 1973

BETWEEN

S. Aruna Devi, D/o Thiru K. N. Srinivasan,
44, Sundararajapuram,
Madurai-11.Complainant.

AND

The management of Bank of Madurai Limited, 33,
North Chitrai Street, MaduraiOpposite party.
Complaint under section 33-A of the Industrial Disputes Act, 1947.

This complaint coming on for final hearing on Saturday, the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following:—

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 9 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Sif. 1034/73 dated 2-4-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management

respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank with immediate effect and she was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
 - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
 - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—1—L.L.J.—page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses

and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows :—

"CONFIDENTIAL

Dated, June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,

AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the bank with immediate effect. You will be paid one month stipend in lieu of notice."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply

misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—L.L.J. page 422 (Murugan Mills, Ltd., Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

Witnesses Examined

For both sides—None.

Documents Marked

For worker—Nil.

For management :

Ex. M-1/21-6-1972—Order of appointment issued to the Complainant.

Ex. M-2/2-4-1973—Order of termination issued to the complainant.

Sd/-

T. PALANIAPPAN, Presiding Officer

Note : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

T. PALANIAPPAN, Industrial Tribunal

[No. L. 12025/15/74/LR.III]

New Delhi, the 25th March, 1974

S.O. 903.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal, Rajasthan, Jaipur in the industrial dispute between the employers in relation to the management of Satalkheri (Nayagaon) Lime Stone Mines owned by Shri Sultan Akhtar Post Office, Ramganjmandi and their workmen, which was received by the Central Government on the 18th March, 1974.

CENTRAL INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

Present :

Shri Updesh Narain Mathur, Judge.

Case No. C.I.T. 23/72

Ref. :—Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment) Department No. 1-29012/3/71-I R-IV dated 6-4-71.

In the matter of an Industrial Dispute
BETWEEN

The Pathar Khan Mazdoor Sangh, Kota.

AND

The Satakhheri (Nayagaon) Limestone Mines of Shri Sultan Akhtar, Post Office, Ramganjmandi (Distt. Kota).

Appearances :

For the Sangh—Shri Mahaveer Prasad Sharma.
For the Management—Shri P. C. Jain.

Date of Award—24-1-1974.

AWARD

The Central Government has made the following reference to this Tribunal for adjudication :-

“whether Shri Shubrati, Chowkidar in Satakhheri (Nayagaon) Limestone Mines of Shri Sultan Akhtar, Post Office, Ramganjmandi (District Kota) was illegally stopped from work with effect from the 22nd December, 1968 by fraudulently obtaining from him, on the 5th October, 1968, a letter of resignation? If not, to what relief is he entitled?”

The statement of claim was filed by the Pathar Khan Mazdoor Sangh, Kota and reply to this claim also filed by the Proprietor of the Company. Before evidence could be completed, the representative of the Sangh submitted before the Tribunal that since the workman concerned in the dispute has expired and the Sangh does not want to pursue the dispute. He asked for a no dispute award, hence a no dispute award is passed.

U. N. MATHUR, Judge,
Presiding Officer

[No. L-29012/3/71-I.RIV]

New Delhi, the 26th March, 1974

S.O. 904.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by M. R. Narmatha ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 7 of 1973 in Industrial Dispute No. 1 of 1973

BETWEEN

M. R. Narmatha, C/o Thiru J. K. Nagaier,
59, Valluvar Nagar,
Reserve Lane Post,
Madurai-14.

.... Complainant.

AND

The management of Bank of Madura Limited,
33, North Chitrai Street, Madurai Opposite party.

Complaint under section 33-A of the Industrial Disputes Act, 1947

This complaint coming on for final hearing on Saturday, the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvalargal A. L. Somayaji and R. Jamal Nazeem, Advocates for the complainant and of

Thiruvalargal M. R. Narayanaswami and K. R. Vijayakumar, Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following:

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that she belongs to the category of apprentice clerks having been appointed on 21-6-1972, and that was discharging the regular clerical duties in the Bank for about 12 months, and that she is a worker concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2820/73 dated 23-6-1973 terminated her services and relieved her on payment of one month's salary in lieu of notice on the ground that her services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that her services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating her services and no opportunity was given to her before removing her from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award reinstating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving her from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that her appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so she would be relieved from the Bank at the close of business on 2-7-1973 as her performance during the apprenticeship period is not satisfactory.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows :—

“Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings. —Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such

contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly."

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is :

- (1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
- (a) in regard to any matter connected with the dispute, alter to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice clerk in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972-1-L.L.J.-page 501 (Air-India Corporation, Bombay Vs. V. A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows :—

"CONFIDENTIAL

Dated June 19, 1965

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which were hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts,

3. Your accounts will be settled after checking your commitments.

Yours faithfully,
AIR-INDIA."

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe the impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"As your performance during the apprenticeship period is not satisfactory, your services are no longer required and the Chairman has ordered for your relief. Accordingly you will be relieved from the Bank's service as at the close of business on 2-7-1973."

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this tribunal to construe the order of termination seen in ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—L.L.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the Industrial Tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice.

8. The learned counsel for the complainant referred me to a decision reported in 1966—I—L.L.J. at page 400 (Utkal Machinery, Ltd., Vs. Santi Patnaik (Miss), My attention has

to be drawn to the following observation, which reads as follows :—

"In the absence of any standing order the unsatisfactory work of an employee may be treated as misconduct and when the respondent was discharged according to the management for unsatisfactory work it should be taken that her discharge was tantamount to punishment for an alleged misconduct."

9. The learned counsel for the management argued that this observation should not be taken into consideration, because it was an observation made with reference to a decision concerned in a reference under section 10(1) of the Industrial Disputes Act and the context in which it has been made should be taken into consideration and the observations relied upon by the complainant's counsel cannot be applied to the facts of our case. There is considerable force in this argument. Further in a later case, reported in 1972—1—L.L.J. which arose directly for consideration of Section 33-A and Section 33, Their Lordships of the Supreme Court have observed as follows at page 509 :— "The fact that the employer is not fully satisfied with the overall result of the performance of his duties by his employee does not necessarily imply misconduct on his part." The order seen in Ex. M-2 namely, performance during the apprenticeship was not satisfactory cannot denote misconduct. Generally in writing confidential sheets of employees, the administrative head of office or the concerned Officer would give his remarks with regard to his work, conduct and character. In some cases, the work may be unsatisfactory and at the same time his conduct and character may be good. In some cases, the concerned workman and the clerk may be very efficient in their duties, but at the same time their conduct and character may be bad. So unsatisfactory work does not necessarily mean misconduct on the part of the employees.

10. In the result, the complaint is dismissed. There will be no order as to costs.

Dated, this the 20th day of February, 1974.

Witnesses Examined

For both sides—None.

Documents Marked

For worker—Nil.
For management :

Ex. M-1/21-6-1972—Order of appointment issued to the complainant.

Ex. M-2/23-6-1973—Order of termination issued to the complainant.

Note : The parties are directed to take return of their document/s within six months from the date of the award.

[No. L-12025/12/74-I R-III]

T. PALANIAPPAN, Presiding Officer

S.O. 905.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in respect of a complaint under Section 33-A of the said Act filed by Shri Thiru S. Rangarajan ex-employee of the Bank of Madura Limited, Madurai which was received by Central Government on 20th March, 1974.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 6 of 1973 in Industrial Dispute No. 1 of 1973

BETWEEN

Thiru S. Rangarajan, C/o Bank of Madura Limited, No. 2, Old Post Office Street, Muthupet, Thanjavur District.

Complainant.

AND

The management of Bank of Madura Limited, 33, North Chitrai Street, Madurai.
Opposite party.

Complaint under section 33-A of the Industrial Disputes

Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvallargal. A. L. Somayaji and R. Jamal Muzem, Advocates for the complainant and of Thiruvallargal M. R. Narayanswami and K. R. Vijayakumar, Advocate for the opposite party and having stood over till this day for consideration, this Tribunal made the following :

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rule 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 22-7-1972, and that was discharging the regular clerical duties in the Bank for about 11 months, and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2859/73 dated 27-6-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one

month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank with immediate effect and he was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal), any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly".

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

(1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall:—

(a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or

(b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—1—L.L.J.—page 501 (Air-India Corporation, Bombay Vs. V.A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman that the discharge in that case

was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason, and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

(Through the Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,
AIR INDIA"

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe that impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the Bank with immediate effect. You will be paid one month stipend in lieu of notice".

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which prompted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—L.L.J., page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another). In that case also it has been laid down that if the discharge was for victimisation or unfair labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

Witnesses Examined

For both sides—None.

Documents Marked

For Worker—Nil.

For management—

Ex. M-1/22-7-1972—Order of appointment issued to the complainant.

Ex. M-2/27-6-1973—Order of termination issued to the Complainant.

NOTE : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

[No. L. 12025/13/74 LR III]

T. PALANIAPPAN, Industrial Tribunal.

S.O. 906.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Industrial Tribunal, Madras in respect of a complaint under Section 33A of the said Act filed by Shri R. Mahalingam ex-employee of the Bank of Madurai Limited which was received by Central Government on the 20th March, 1974.

[No. L.12025/14/74/LRIII]

P. P. KANTHAN, Under Secy.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

Complaint No. 5 of 1973 in Industrial Dispute No. 1 of 1973

BETWEEN

Thiru R. Mahalingam, B.A. Mettuncerthan, Audipatty Post, Madurai District.

Complainant.

AND

The management of Bank of Madura Limited. 33, North Chitrai Street, Madurai

Opposite party.

Complaint under section 33-A of the Industrial Disputes Act, 1947

This complaint coming on for final hearing on Saturday the 9th day of February, 1974, upon perusing the complaint, counter and all other material papers on record and upon hearing the arguments of Thiruvallargal A. L. Somayaji and R. Jamal Nazeem. Advocates for the complainant and of Thiruvallargal M. R. Narayanaswami and K. R. Vijayakumar. Advocates for the opposite party and having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is a complaint filed by the worker under section 33-A of the Industrial Disputes Act, 1947 read with Rules 59 of the Industrial Disputes (Central) Rules.

2. It is alleged in the complaint that he belongs to the category of apprentice clerks having been appointed on 8-11-1972, and that was discharging the regular clerical duties in the Bank for about 7-1/2 months, and that he is a workman concerned in this dispute pending adjudication before this Court. It is further stated in the complaint that the issue referred for adjudication to this Court relates to the justification of the action of the opposite party in appointing 400 apprentice clerks during the year 1972 on a scale other than the awarded scale of pay and also as to whether such apprentice clerks were engaged for doing normal clerical duties in the Bank. The grievance of the complainant is that the opposite party by the order No. C.O. Stf. 2717/73 dated 15-6-1973 terminated his services and relieved him on payment of one month's salary in lieu of notice on the ground that his services were not required. The opposite party has contravened the provisions of Section 33(1) of the Industrial Disputes Act by not obtaining the prior permission from this Court; that his services were terminated by way of victimisation and for ulterior motives; and that the termination is mala fide that the opposite party has not complied with the terms of appointment before terminating his services and no opportunity was given to him before removing him from service. The order of termination is capricious and unreasonable and it is punitive in character and under those circumstances, the Tribunal has to pass an award re-instating the complainant in service with back wages.

3. The management has filed a counter stating that the complaint under section 33-A of the Industrial Disputes Act is not maintainable. The management has denied that the termination was actuated by any victimisation or unfair labour practice, and that the termination was not for any misconduct.

4. When the complaint was taken up, the learned counsel for the management wanted this Tribunal to take up the maintainability of the complaint as a preliminary objection and give a finding on the maintainability of this complaint. Both sides were given opportunity to argue with regard to the maintainability of this complaint. The management alone filed two documents marked as Exs. M-1 and M-2. Ex. M-1 is the copy of the order of appointment of the complainant as an apprentice clerk. Ex. M-2 is the copy of the order relieving him from the services of the Bank.

5. The point that arises for determination is whether this petition is not maintainable as contended by the management respondent. Ex. M-1 shows that the complainant was appointed as an apprentice clerk in the Bank on the terms and conditions set out in it. It shows that the period of apprenticeship shall be one year; that suitability for confirmation and absorption will be based on conduct and manner etc., as set out in Ex. M-1 and the work will be reviewed once in three months; and that his appointment is terminable at one month's notice on either side. Ex. M-2 is the copy of the order stating that the services of the complainant were not required any longer and so he would be relieved from the Bank with immediate effect and he was also offered one month's stipend.

6. The argument advanced by the learned counsel for the management was that this complaint purports to be under section 33-A of the Industrial Disputes Act, and that the complaint itself is maintainable only if the employer had

contravened the provisions of Section 33 of the Industrial Disputes Act and in the absence of such contravention, the complaint under section 33-A is not maintainable. Section 33-A reads as follows:—

"Special provision for adjudication as to whether conditions of service, etc., changed during pendency of proceedings.—Where an employer contravenes the provisions of section 33 during the pendency of proceedings before a (Labour Court, Tribunal or National Tribunal) any employee aggrieved by such contravention, may make a complaint in writing, in the prescribed manner to such (Labour Court, Tribunal or National Tribunal) and on receipt of such complaint that (Labour Court, Tribunal or National Tribunal) shall adjudicate upon the complaint as if it were a dispute referred to or pending before it, in accordance with the provisions of this Act and shall submit its award to the appropriate Government and the provisions of this Act shall apply accordingly".

Thus it is seen that only if the employer contravenes the provisions of section 33 during the pendency of proceedings, any employee aggrieved by such contravention, may make a complaint in writing. The relevant portions of section 33 necessary for our case is:

(1) During the pendency of any conciliation proceeding before a Conciliation Officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

(a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately, before the commencement of such proceeding; or

(b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workman concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending.

The fact that the complainant was working as an apprentice in the Bank is not in dispute. It is also true that during the pendency of the proceedings, the complainant was relieved from the post of apprentice clerk in the Bank. The learned counsel for the management argued that Section 33(1) says that only if the complainant was removed for any misconduct connected with the dispute, prior permission should have been obtained and as the complainant was not discharged or dismissed for any misconduct no prior permission is necessary. In support of his contention he referred me to a decision reported in 1972—I—L.J.J.—page 501 (Air-India Corporation, Bombay Vs. V.A. Rebellow and another). It was also a case relating to Section 33 and Section 33-A of the Industrial Disputes Act and the termination of services of an Assistant Station Superintendent under Regulation 48 and thus it was a complaint by him that the discharge was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. The facts of that case show that the complainant in that case was an Assistant Station Superintendent and a Junior Officer in the performance of his duties he had to deal with air hostesses and that the Air-India Corporation, Bombay, that is the appellant not being fully satisfied beyond suspicion about his general conduct and behaviour while dealing with them terminated the services of the complainant under Regulation 48 and that the validity of the order of the termination of services was the subject matter in that decision. The Labour Court held that the employee was a workman, that the discharge in that case was not discharge simpliciter but in breach of Section 33 of the Industrial Disputes Act. But the Supreme Court held that the Central Government Labour Court, Bombay was not right in holding that the complainant was guilty of misconduct and his services were terminated for that reason,

and allowed the appeal and dismissed the complainant's petition under Section 33-A. The impugned order in that case reads as follows:—

"CONFIDENTIAL

Dated June 19, 1965.

(Thru : The Commercial Manager, Cargo)

Dear Sir,

It has been decided to terminate your services, which we hereby do with immediate effect. You will be paid one month's salary in lieu of notice.

2. Please arrange to return, as early as possible, all items of Corporation's property in your possession to enable us to settle your accounts.

3. Your accounts will be settled after checking your commitments.

Yours faithfully,
AIR INDIA"

Their Lordships of the Supreme Court construed the order of termination and have come to the conclusion that the order does not suggest any misconduct on the part of the complainant and indeed it is not possible to hold that order to be based on any conceivable misconduct; that the form of the order is no doubt not decisive and attending circumstances are open for consideration, though motive for the order, if not mala fide, is not open to question. Bearing those principles in mind I shall now construe that impugned order in Ex. M-2 to find out whether it is for any misconduct. The impugned order in our case reads as follows:—

"Since your services are not required you are relieved from the Bank with immediate effect. You will be paid one month stipend in lieu of notice".

This order is practically the same as the order which came up for consideration in the Supreme Court decision. Ex. M-2 does not suggest any misconduct on the part of the complainant, and it is not possible to hold that Ex. M-2 is based on any conceivable misconduct. Further I am unable to find out any lack of bona fides on the part of the management in passing this order seen in Ex. M-2. There are absolutely no material for coming to the conclusion that Ex. M-2 is the result of victimisation or unfair labour practice. It is significant to note that the Bank has terminated the services of not only this complainant but several others to select the best of the lot. Thus it is seen that this order of termination is termination simpliciter and not for misconduct. Their Lordships of the Supreme Court at page 507 have observed that the employer is free to take action against his workmen if it is not based on any misconduct on his part. As already pointed out the order of termination seen in Ex. M-2 is not for misconduct and hence the Bank was justified in terminating the services of the complainant for bona fide reasons. The learned counsel for the complainant argued that the form and the language of the order set out in Ex. M-2 will not be the criterion, but the real substance has to be found out and that as the employer has not given some reasons which promoted to terminate the services, it was an arbitrary and capricious termination of services and thus, the employer has contravened Section 33 of the Industrial Disputes Act. There is no force in this argument, because the Bank was able to establish its bona fides in passing the termination of the services of the complainant and also it was not for misconduct. Their Lordships in the above decision have also observed that even if the employer was not fully satisfied with the over all result of the performance of his duties by his employee it will not necessarily imply misconduct on his part. In view of this observation in the above decision, the complainant is not justified in asking this Tribunal to construe the order of termination seen in Ex. M-2 either as arbitrary or capricious or one for misconduct. Following the principles laid down in the Supreme Court decision and applying those principles to the facts of this case, I come to the conclusion that the order of termination is not for misconduct.

7. The learned counsel for the complainant referred me to a decision reported in 1965—I—L.J.J. page 422 (Murugan Mills, Ltd. Vs. Industrial Tribunal, Madras, and another).

In that case also it has been laid down that if the discharge was for victimisation or unfair Labour practice the industrial tribunal can go into the question and if it is a colourable exercise or victimisation or unfair labour practice, the court can set aside such termination. The management has not only terminated the services of this apprentice, but also several others stating that the services are not required. On a construction of that order seen in Ex. M-2 I do not find any grounds to dispute the bona fides of that order after mature consideration by the management. Further, that order seen in Ex. M-2 cannot be characterised as punitive or victimisation or result of unfair labour practice. In view of my coming to the conclusion that the order is not one for misconduct as contemplated by Section 33(1), the petition is not maintainable.

8. In the result, the complaint is dismissed. There will be no order as to costs.

Witnesses Examined

For both sides—None.

Documents Marked

For worker—Nil.

For management—

Ex. M-1/8-11-1972—Order of appointment issued to the Complainant.

Ex. M-2/15-6-1973—Order of termination issued to the complainant.

Presiding Officer.

NOTE : The parties are directed to take return of their document/s within six months from the date of the award.

Dated, this the 20th day of February, 1974.

Sd/- T. PALANIAPPAN,
Industrial Tribunal.

[No. L. 12025/14/74/LRIII]
P. P. KANTHAN, Under Secy.

नई दिल्ली, 23 मार्च 1974

का०प्रा० 907—यत्. मुम्बई अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में संशोधन करने के लिए कतिपय प्राप्प स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (I) द्वारा यथोपेक्षित, भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का०प्रा० 2907, तारीख 25 सितम्बर, 1973 के अधीन, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (II), तारीख 6 अक्टूबर, 1973, पृष्ठ 3495-96 पर प्रकाशित की गई थी, जिसमें उन सभी व्यक्तियों से, राजपत्र में इसके प्रकाशन की तारीख से दो मास की अवधि की समाप्ति तक आक्षेप या सुझाव मांगे गए थे, जिनका उसमें प्रभावित होना संभाव्य है;

और यत्: उक्त राजपत्र जनता को 6 अक्टूबर 1973 को उपलब्ध करा दिया गया था ;

और यत्: केन्द्रीय सरकार द्वारा उक्त प्राप्प पर जनता से कोई आक्षेप या सुझाव प्राप्त नहीं हुए है ।

अतः अद्य, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (I) प्रदत्त शक्तियों का प्रयोग करते हुए, मुम्बई अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में और संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और आरम्भ :—इस स्कीम का संक्षिप्त नाम मुम्बई अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है ।

(2) ये राजपत्र से प्रकाशन की तारीख को प्रदत्त होगी ।

2. मुम्बई अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में, खंड 12-क के पश्चात्, निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात् :—

“12-ख मद्भागई भत्ता मजदूरी और अन्य भत्ता के बकाए : गठित किए गए किसी बोर्ड या निकाय के किसी अधिनियम या सिफारिश या केन्द्रीय सरकार द्वारा किए गए किसी आदेश के अनुसरण में भूतपूर्व प्रभाव से मद्भागई भत्ते के किसी पुनरीक्षण या पुनरीक्षित मजदूरियों या अन्य भत्ता के अनुदान की दशा में, बोर्ड रूखीगत कर्मकारों को अधिनियम की या यथास्थिति, सिफारिश या आदेश की तारीख तक बकाए का, यदि बोर्ड ऐसा विनिश्चय करे, संदाय अपनी निर्धि में से कर सकेगा ।”

[का० सं० 7/012/2/73- पी डी एंड]

New Delhi, the 23rd, March, 1974

S.O. 907.—Whereas certain draft scheme to amend the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), at pages 3495-96 of the Gazette of India, Part-II Section 3, sub-section (ii) dated the 6th October, 1973, under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S.O. 2907, dated the 25th September, 1973, inviting objections and suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of its publication in the Official Gazette.

And Whereas the said Gazette was made available to the public on the 6th October, 1973;

And Whereas no objections or suggestions have been received from the public on the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme further to amend the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, namely:—

1. Short title and commencement.—This Scheme may be called the Bombay Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Bombay Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, after clause 12-A the following clause shall be inserted, namely:—

“12-B. Arrears of Dearness Allowance, wages and other allowances.—In case of any revision of dearness allowance or grant of revised wages or other allowances, with retrospective effect, in pursuance of any award or recommendation of any board or body set up, or of any order made by the Central Government, the board may out of its funds, pay the listed workers arrears upto the date of the award, or as the case may be, of the recommendation or order, if the Board so decides.”

[F. No. S-70012/2/73-P & D]

का०प्रा० 908—यत्. मद्रास अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में संशोधन करने के लिए कतिपय प्राप्प स्कीम, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा यथोपेक्षित, भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग)

की अधिसूचना सं० का० आ० 2168, तारीख 16 जुलाई, 1973 के अधीन, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (II), तारीख 4 अगस्त, 1973, पृष्ठ 2693 पर प्रकाशित की गई थी। जिसमें उन सभी व्यक्तियों में, राजपत्र में इसके प्रकाशन की तारीख से दो मास की अवधि की समाप्ति तक आक्षेप या सुझाव मागे गए थे, जिनका उससे प्रभावित होना संभाव्य है।

और यतः उक्त राजपत्र जनता को 4 अगस्त, 1973 को उपलब्ध करा दिया गया था ;

और यतः उक्त प्रारूप पर जनता से कोई आक्षेप या सुझाव प्राप्त नहीं हुए हैं ;

अतः अत्र, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मद्रास रजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारंभ : (1) इस स्कीम का संक्षिप्त नाम रजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) द्वितीय संशोधन स्कीम, 1974 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगी।

2. मद्रास रजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1968 में, खण्ड 16 के उपखण्ड (2) में, "बोर्ड" शब्द के स्थान पर, "प्रमुख" शब्द रखा जाएगा।

[फा० सं० 5-13011/5/72-पीएचडी]

S.O. 908.—Whereas certain draft scheme to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968 was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) at page 2693 of the Gazette of India, Part-II, section 3, sub-section (ii), dated the 4th August, 1973 under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S. O. 2168, dated the 16th July, 1973 inviting objections or suggestions from all persons likely to be affected thereby, till the expiry of a period of two months from the date of its publication in the Official Gazette

And Whereas the said Gazette was made available to the public on the 4th August 1973 ;

And whereas no objections or suggestions have been received from the public on the said draft;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968, namely :—

1. Short title and commencement :—(1) This Scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) Second Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1968, in clause 16, in sub clause (2), for the word "Board", the word "Chairman" shall be substituted.

[F. No. V. 13011/5/72-P & D]

का० आ० 909—यतः कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970 में संशोधन करने के लिए कतिपय प्रारूप स्कीम, डाक कर्म-कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा यथापेक्षित, भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० आ० 2503, तारीख 17 अगस्त, 1973 के अधीन, भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (II), तारीख 1 सितम्बर, 1973, पृष्ठ 2993 पर प्रकाशित की गई थी जिसमें उन सभी व्यक्तियों से राजपत्र में इसके प्रकाशन की तारीख से पैनालीस दिन की अवधि की समाप्ति तक आक्षेप या सुझाव मागे गए थे जिनका उससे प्रभावित होना संभाव्य है।

और यतः उक्त राजपत्र जनता को 1 सितम्बर, 1973 को उपलब्ध करा दिया गया था ;

और यतः केन्द्रीय सरकार द्वारा उक्त प्रारूप पर जनता से कोई आक्षेप या सुझाव प्राप्त नहीं हुए हैं ;

अतः अत्र, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कलकत्ता डाक कर्म-कार (नियोजन का विनियमन) स्कीम, 1970 में संशोधन करने के लिए निम्नलिखित स्कीम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारंभ : (1) इस स्कीम का संक्षिप्त नाम कलकत्ता डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है।

(2) यह स्कीम राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

2. कलकत्ता डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1970 में, खण्ड 20 के उपखण्ड (2) में, मद (ग), (घ) और (ङ) के स्थान पर, क्रमशः निम्नलिखित मद रखी जाएगी अर्थात् :—

“(ग) अनन्तिम रजिस्ट्रीकरण पूर्ण होने के पश्चात् ऐसे रजिस्ट्रीकृत कर्मकारों में से चक्रानुक्रम से कर्मकारों की सूची, उस प्रक्रम में, निम्नलिखित को छोड़कर, वार्षिक प्रमुखता दिए बिना प्रारंभ किया जाएगा—

(i) ऐसे कर्मकारों की, उनके द्वारा वास्तव में काम किए गए दिनों के लिए प्रादुर्भूत सकल मजदूरी, इस शर्त के अधीन कि किसी एक मास में कम से कम 12 दिन की सकल मजदूरी हो, और

(ii) पत्तन-बन्द दिनों के लिए केवल अवकाश मजदूरी।

(घ) अनन्तिम रजिस्ट्रीकृत कर्मकारों द्वारा वास्तविक रूप से प्राप्त नियोजन की दृष्टि से छह मास के पश्चात् अपेक्षाओं का पुनर्निर्माण किया जाएगा और अनन्तिम रजिस्ट्रीकरण तब अनुसार समायोजित किया जाएगा और इसके पश्चात् कर्मकार निम्नलिखित प्रमुखताओं के पात्र होंगे, अर्थात् :—

(i) सप्ताह में वेतन सहित एक आराम का दिन (वेतन सहित रोस्टर आफ);

(ii) खण्ड 35 में यथा अधिकथित परिस्थिति भत्ते का सहाय, और

(iii) बॉर्ड द्वारा यथा विनिश्चित बीमारी और आकस्मिक छुट्टी ;

परन्तु उन कर्मकारों के प्रवर्गों की दशा में, जहां कि सचवा का अनन्तिम रजिस्ट्रीकरण वर्षक निर्धारण के पश्चात्, केन्द्रीय सरकार के अनुमोदन से अवधारित किया गया था, यहाँ बॉर्ड ऐसे कर्मकारों को अनन्तिम रजिस्ट्रीकरण के पश्चात् छह मास की समाप्ति पर, अपेक्षाओं किसी के

अतिरिक्त पुनर्निर्माण का भार विना ऊपर वर्णित प्रमुखधायों को मंजूर कर सकेगा।

- (ड) (i) उक्त स्कीम चक्रानुक्रम से बुकिंग प्रारंभ होने के एक वर्ष के पश्चात् पुनर्विचार के अधीन इस दृष्टि से होगी कि, उन दिनों की संख्या नियत की जा सके जिन के लिए खण्ड 34 के अधीन गारन्टी की गई न्यूनतम मजदूरी देनी चाहिए।

परन्तु उन कर्मचारियों के प्रयोगों की दशा में, जहाँ कि अनन्तिम रूप से रजिस्ट्रीकरण होने वाली की संख्या, सम्यक निर्धारण के पश्चात्, केन्द्रीय सरकार के पूर्ण अनुमोदन से अवधारित हुई थी, वहाँ बोर्ड अनन्तिम रजिस्ट्रीकरण के पश्चात् छह मास की समाप्ति पर ऐसे कर्मचारियों के लिए उन दिनों की संख्या नियत कर सकेगा जिन के लिए गारन्टी की गई न्यूनतम मजदूरी दी जानी चाहिए।

- (ii) अनन्तिम रजिस्ट्रीकरण के पश्चात् एक वर्ष की समाप्ति पर कर्मकार:—

(i) उस दशा में पृष्ठ किए गए समझे जाएंगे, जबकि उनका चरित्र और पूर्ववृत्त स्थापित किए जा सके हों और वे सतोषप्रद पाए गए हों।

(ii) भविष्य निर्ध स्कीम से सम्मिलित होने के हकदार होंगे।

(iii) रजिस्ट्रीकरण की तारीख से यथा अर्जित विशेषाधिकार छुट्टी देने के हकदार होंगे; और

(iv) स्कीम के अधीन सभी अन्य फायदेपाने के हकदार होंगे।

[फा० सं० १०१२०२५/७/७२-पी एन्ड डी]

S.O. 909.—Whereas certain draft Scheme to amend the Calcutta Dock Workers (Regulation of Employment) Scheme 1970 was published as required by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), at pages 2993-94 of the Gazette of India Part-II, section 3, sub-section (ii), dated the 1st September, 1973, under the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment), No. S. O. 2503, dated the 17th August, 1973, inviting objections or suggestions from all persons likely to be affected thereby, till the expiry of a period of forty-five days from the date of its publication in the Official Gazette;

And whereas the said Gazette was made available to the public on the 1st September, 1973;

And whereas no objections or suggestions have been received from the public on the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby makes the following scheme to amend the Calcutta Dock Workers (Regulation of Employment) Scheme, 1970, namely:—

1. Short title and commencement.—(1) This Scheme may be called the Calcutta Dock Workers (Regulation of Employment) Amendment Scheme, 1974.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Calcutta Dock Workers (Regulation of Employment) Scheme, 1970, in sub-clause (2) of clause 20, for items (c), (d) and (e), the following items shall respectively be substituted, namely:—

“(c) After the provisional registration has been completed, the booking of workers in rotation within the number so registered shall start without allowing, at that stage, any financial benefits other than :—

(i) the gross wages which accrue to such workers for the days on which they actually work subject to a minimum of 12 days gross wages in a month, and

(ii) holiday wages for the port closed days only.

(d) A re-assessment of the requirements shall be made after six months in the light of the actual employment obtained by workers provisionally registered and the provisional registration shall then be adjusted accordingly and thereupon, the workers shall be eligible for the following benefits, namely:—

(i) a paid weekly day of rest (Roster off with pay);

(ii) payment of attendance allowance as laid down in clause 35; and

(iii) sick and casual leave as decided by the Board:

Provided that in the case of categories of workers where the number to be provisionally registered was, after due assessment, determined with the approval of the Central Government, the Board may allow the above-mentioned benefits to such workers at the end of a period of six months after provisional registration without undertaking any further reassessment of the requirements.

(e) (i) The aforesaid scheme shall be subject to review after one year from the introduction of the rotational booking with a view to fixing the number of days for which the guaranteed minimum wages under clause 34 should be paid:

Provided that in the case of categories of workers where the number to be provisionally registered was, after due assessment, determined with the prior approval of the Central Government, the Board may, at the end of six months after provisional registration, fix for such workers the number of days for which the guaranteed minimum wages should be paid.

(ii) At the end of one year after the provisional registration, the Workers shall be—

(1) deemed to have been confirmed if their character and antecedents have been verified and found to be satisfactory;

(2) entitled to join the Provident Fund Scheme;

(3) entitled to avail of privilege leave as earned from the date of registration; and

(4) entitled to all other benefits under the Scheme.”

[F. No. V. 12025/7/72-P & D]

आदेश

फा० सं० १११०.—यतः केन्द्रीय सरकार की राय है कि इस से उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेसर्स सुपरिटेण्डेंट कंपनी प्राइवेट लिमिटेड, बाम्को-डी-नामा (गोवा) के प्रबंधनत्व से संबंधित नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना बाध्यता समझती है

यतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधि-

नियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधि-
करण स 2, मुम्बई को न्याय निर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसर्स सुपरिन्टेंडेंस कंपनी प्रा० लि० की श्री लांसटों
जोसफ मिराण्डा, नमूनाकार एवं टंकक की सेवाओं को समाप्त करने की
कार्रवाई न्यायोचित है? यदि नहीं तो कर्मकार किम अनुतोष का हकदार
है?"

[सं० एन-36012/7/74-पी एण्ड डी]

वी० शंकरालिंगम, अवसर सचिव

ORDER

S.O. 910.—Whereas the Central Government is of opi-
nion that an industrial dispute exists between the employers
in relation to the management of Messrs Superintendence
Company of India Private Limited, Vasco-da-Gama (Goa) and
their workmen in respect of the matters specified in the
Schedule hereto annexed;

And, whereas, the Central Government considers it desir-
able to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by
clause (d) of sub-section (1) of section 10 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
by refers the said dispute for adjudication to the Central
Government Industrial Tribunal, No. 2, Bombay, constituted
under section 7A of the said Act.

SCHEDULE

"Whether the action of Messrs Superintendence Com-
pany of India Private Limited in terminating the
services of Shri Lancerto Joseph Miranda, Sampler-
cum-Typist is justified? If not to what relief the
workman is entitled to?"

[No. L-36012/7/74-P & D]

V. SANKARALINGAM, Under Secy.

पूति और पुनर्वासि मंत्रालय

पुनर्वासि विभाग

नई दिल्ली, 23 मार्च, 1974

का०आ० 911.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वासि) अधिनियम,
1954 (1954 की 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों
का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा क्षेत्रीय बन्धोबस्त आयुक्त
(केन्द्रीय) नई दिल्ली, के कार्यालय के प्रबंध अधिकारी श्री एम०बी० भन्ना
को उक्त अधिनियम द्वारा या उसके अधीन प्रबंध अधिकारियों को सौंपे
गए कार्यों को करने के लिए आंध्र-प्रदेश, कर्नाटक तथा तमिल नाडु के
राज्यों के लिए प्रबंध अधिकारी के रूप में नियुक्त करती है।

[संख्या 15(1)/74-विशेष सेल/एम०एस०-4]

डी०एन० असीजा, अवसर सचिव

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 23rd March, 1974

S.O. 911.—In exercise of the powers conferred by Sub-
Section (1) of Section 3 of the Displaced Persons (Com-
pensation and Rehabilitation) Act, 1954 (No. 44 of 1954),
the Central Government hereby appoints for the States of
Andhra Pradesh, Kerala, Karnataka and Tamil Nadu,
Shri M. B. Bhalla, Settlement Officer in the Office of the
Regional Settlement Commissioner (Central), New Delhi as
Managing Officer for the purpose of performing the functions
assigned to such officers by or under the said Act.

[No. 15(1)/74-Spl. Cell/SSIV.]

D. N. ASIJA, Under Secy.

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

नई दिल्ली, 30 मार्च, 1974

का०आ० 912.—विदेशी मुद्रा विनियमन अधिनियम 1973 (1973
का 46वाँ) की धारा 52 की उप धारा 1 द्वारा प्रदत्त शक्तियों का प्रयोग
करते हुए और भारत सरकार वित्त मंत्रालय (आर्थिक कार्य विभाग) की 17
जुलाई, 1972 की अधिसूचना संख्या सा० सा० नि० 862 और 2 मार्च,
1974 की अधिसूचना संख्या सा० सा० नि० 253 के क्रम में भारत सरकार
एतद्वारा श्री पी० बी० स्वरूल, संयुक्त सचिव और कानूनी सहायकार
विधि न्याय और कम्पनी कार्य विभाग की विदेशी मुद्रा विनियमन अपीलीय
बोर्ड का एक अन्य सदस्य नियुक्त करती है।

[1/67/ई०सी०/71]

के० सुब्रह्मण्यम, अवसर सचिव

MINISTRY OF FINANCE

Department of Economic Affairs

New Delhi, the 30th March, 1974

S.O. 912.—In exercise of the powers conferred by
sub-section (1) of section 52 of the Foreign Exchange Regula-
tion Act, 1973 (46 of 1973), and in continuation of the notifica-
tions of the Government of India in the Ministry of Finance
(Department of Economic Affairs) No. GSR 862, dated the
17th July, 1972, and No. GSR. 253, dated the 2nd March, 1974,
the Central Government hereby appoints Shri P. V. Swaralu,
Joint Secretary and Legal Adviser, Ministry of Law, Justice
and Company Affairs (Department of Legal Affairs), as another
Member of the Foreign Exchange Regulation Appellate
Board.

[No. F.1/67/EC/71]

K. SUBRAMANIAN, Under Secy.

वाणिज्य मंत्रालय

(समूहरी उत्पाद निर्यात विकास निबंधन)

नई दिल्ली, 6 अप्रैल, 1974

का. आ. 913.—समूहरी उत्पाद निर्यात विकास प्राधिकारी
अधिनियम, 1972 (1972 का 13) की धारा 33 द्वारा प्रदत्त शक्तियों
का प्रयोग करते हुए केन्द्रीय सरकार समूहरी उत्पाद निर्यात विकास
प्राधिकारी नियम, 1972 में और आगे संशोधन करते हुए एतद्
द्वारा निम्नांकित नियम बनाती है। अर्थात् :—

- इन नियमों का नाम समूहरी उत्पाद निर्यात विकास प्राधि-
कारी (द्वितीय संशोधन) नियम, 1974 होगा।
- समूहरी उत्पाद निर्यात विकास प्राधिकारी नियम, 1972 के
नियम 2 में खंड (छ) के स्थान पर निम्नांकित खंड रखा
जाए, अर्थात् :—
(छ) "वर्ष" का अभिप्राय पहली अप्रैल से शुरू होने वाले
वर्ष से है;

[फ. सं. 5/57/73-ई. पी. (एच 2)]

MINISTRY OF COMMERCE

New Delhi, the 6th April, 1974

MARINE PRODUCTS EXPORT DEVELOPMENT CONTROL

S.O. 913.—In exercise of the powers conferred by section 33 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), the Central Government hereby makes the following rules further to amend the Marine Products Export Development Authority Rules, 1972, namely:—

1. These rules may be called the Marine Products Export Development Authority (Second Amendment) Rules, 1974.

2. In rule 2 of the Marine Products Export Development Authority Rules, 1972, for clause (g), the following clause shall be substituted, namely:—

'(g) "year" means the year commencing on the first day of April.'

[File No. 5/57/73-EP(Agri. II)]

का०आ०९१४—सामुद्रिक उत्पाद निर्यात विकास प्राधिकारी अधिनियम १९७२ (१९७२ का १३) की धारा ३३ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार सामुद्रिक उत्पाद निर्यात विकास प्राधिकारी नियम, १९७२ में और आगे संशोधन करने के लिये एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:—

१. इन नियमों का नाम सामुद्रिक उत्पाद निर्यात विकास प्राधिकारी (द्वितीय संशोधन) नियम, १९७३ है।

२. सामुद्रिक उत्पादन निर्यात विकास प्राधिकारी नियम, १९७२ के नियम ३३ के उप-नियम (२) में, गारणी में, मद २ तथा उसमें सम्बद्ध प्रविष्टियों के स्थान पर निम्नोक्त मद रखी जाये, अर्थात्:—

1	2
	रु०

२. भंडारकरण

(१) द्रुतशीतल तथा प्रशीतल

(क) ५० टन की क्षमता (द्रुतशीतल और प्रशीतल दोनों) तक के और उसे सम्मिलित करने हुये भण्डारकरण के लिये ५० ००

(ख) ५० टन की क्षमता (द्रुतशीतल और प्रशीतल दोनों) से अधिक के भण्डारकरण के लिये १०० ००

(२) द्रुतशीतल और प्रशीतल से भिन्न

(क) ५० टन की क्षमता तक के और उसे सम्मिलित करने हुये १० ००

(ख) ५० टन की क्षमता से अधिक के भण्डारकरण के लिये २० ००

[फा० सं० ५/५४/७२-ई०पी० (एग्री०-२)]

आर० के० तलवार, सयुक्त सचिव

S.O. 914.—In exercise of the powers conferred by section 33 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), the Central Government hereby makes the following rules further to amend the Marine Products Export Development Authority Rules, 1972, namely:—

1. These rules may be called the Marine Products Export Development Authority (Amendment) Rules, 1974.

2. In sub-rule (2) of rule 33 of the Marine Products Export Development Authority Rules, 1972, in the Table, for item 2 and the entries relating thereto, the following item shall be substituted, namely:—

1	2

"2 Storage

(i) Chilled and Frozen

(a) For storage up to and including 50 tons capacity (both chilled and frozen) Rs. 50 00

(b) For storage above 50 tons capacity (both chilled and frozen) Rs. 100.00

(ii) Other than Chilled and Frozen

(a) For storage up to and including 50 tons capacity Rs. 10.00

(b) For storage above 50 tons capacity Rs. 20 00

[File No. 5/58/72-EP (Agri II)]

R. K. TALWAR, Joint Secy.

संचार मंत्रालय

(राक-तार बोर्ड)

नई दिल्ली, २७ मार्च १९७४

का० आ० ९१५.—स्थायी आदेश संख्या ६२७, दिनांक ८ मार्च १९६० द्वारा लागू किए गए भारतीय तार नियम १९५१ के नियम ४३४ के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने कोतमंगलम टेलीफोन केन्द्र में दिनांक १-५-७४ से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[सं० ५-१५/७४-पी०एच०बी०]

पी० सी० गुप्ता, सहायक महानिदेशक (पी०एच०बी०)

MINISTRY OF COMMUNICATIONS
(P&T BOARD)

New Delhi, the 27th March, 1974

S. O. 915.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O.No. 627, dated 8th March, 1960, the Director General, posts and Telegraphs, hereby specifies the 1-5-1974 as the date on which the measured Rate system will be introduced in Kothamangalam Telephone exchange, Kerala Circle.

[No. 5-15/74-PHB]

P. C. Gupta
Assistant Director General (PHB)